

STATEMENT OF CASE

**Full planning permission for a 28-
storey purpose-built student
accommodation building (Sui Generis)**

Land at Deansgate South

November 2021

LPA Ref: 129406/FO/2021

Appeal on behalf of Fusion Manchester DevCo Ltd

CONTENTS

1. Introduction	3
2. Site Context and Proposal	6
3. Planning Policy and Guidance	7
4. The Appellant's Case.....	10
5. Conclusion	15
6. Conditions	16
7. List of Documents to which the Appellant may refer.....	17
Appendix 1 – List of Submitted Drawings	19

Version	Prepared by	Approved by	Date
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1. Introduction

- 1.1 This Statement of Case has been prepared by Cushman & Wakefield in relation to an appeal by Fusion Manchester DevCo Ltd ('the Appellant'). It outlines the main points of the Appellant's case in accordance with the Town and Country Planning (Inquiries Procedure) (England) Rules 2000 as amended.
- 1.2 The appeal is made following the refusal of planning permission by Manchester City Council ('the Council') for an application made in full for the erection of a 28-storey purpose built student accommodation building (Sui Generis). The site is located on previously developed land at Deansgate South, Manchester.
- 1.3 The decision to refuse planning permission was made by the Council's Planning Committee at their meeting on 3rd June 2021. The decision notice was issued on 4th June 2021.
- 1.4 The application was refused for the following reasons (emphasis added):
 1. *The proposal is **not in close proximity to the University campuses** or to **a high frequency public transport route** which passes this area and the applicant has **failed to demonstrate** robustly that there is **unmet need** for the proposed student accommodation; that they have entered into an agreement with an education provider for the provision of student accommodation; **or that their proposal is deliverable**. Furthermore, the proposal **does not demonstrate a positive regeneration impact** in its own right and would be contrary to the Great Jackson Street Development Framework and the efforts made to create a high quality residential area. It would, therefore, **adversely impact upon the safety and welfare of future students**, would **not create a balanced high quality neighbourhood** of choice and would be detrimental to the character of the area, undermining the on-going regeneration of the wider locality, including Castlefield and the Great Jackson Street area. It would thereby be contrary to policies SP1, H1, H12, CC3, CC8, CC10, T2 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.*
 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.*
 4. *The proposed building by reason of its scale, design and appearance would form an over-dominant and intrusive feature within the street scene and would thereby have **a detrimental impact on the settings of the nearby listed buildings**. The proposed building would cause less than substantial harm to the significance of these heritage assets,*

which would not be outweighed by the public benefits of the scheme. It is therefore considered to be contrary to guidance within the National Planning Policy Framework, policies SP1, CC9, EN3 and DM1 of the Manchester Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

5. *The proposed building by reason of its scale, design and appearance would form an over-dominant and intrusive feature within the street scene and would thereby have a **detrimental impact on the character and appearance of Castlefield Conservation Area**. The proposed building would **fail to preserve or enhance the character and appearance of Castlefield Conservation Area** and would cause less than substantial harm to the significance of this heritage asset, which would not be outweighed by the public benefits of the scheme. It is therefore considered to be contrary to guidance within the National Planning Policy Framework, policies SP1, CC9, EN3 and DM1 of the Manchester Core Strategy and saved policy DC18.1 of the Unitary Development Plan for the City of Manchester.*
 6. *The proposed building by reason of its scale, massing and height would have a detrimental **impact upon the wind environment** around the building, requiring mitigation. The applicant has failed to demonstrate that the mitigation measures put forward are capable of implementation and no alternatives have been put forward. Therefore, it is considered that the proposed building, by reason of its scale, massing and height, could have a detrimental impact on the safety and comfort of pedestrians and cyclists, thereby being contrary to policies EN2 and DM1 of the Manchester Core Strategy.*
- 1.5 The application was registered as valid on the 15th February 2021 and provided with reference number 129406/FO/2021. At the time of determination there was no outstanding request for additional information which had not been addressed by the Appellant. The Appellant and the Council consider that the application comprises EIA development.
- 1.6 The application was supported by a suite of documents and plans, to which reference will be made and which includes:
1. Environmental Statement, containing the following topics as a technical chapter:
 - Noise and Vibration, prepared by Apex
 - Air Quality, prepared by Ensafé
 - Townscape and Visual (including Tall Building Assessment), prepared by Bidwells
 - Built Heritage, prepared by Bidwells
 - Daylight and Sunlight, prepared by GIA
 - Wind Microclimate, prepared by Wardell Armstrong
 - Socio-Economics, prepared by Cushman & Wakefield
 - Construction Methodology and Programme, prepared by Wardell Armstrong
 2. Design and Access Statement, prepared by Corstophine + Wright
 3. Blue and Green Infrastructure Statement, prepared by Cushman & Wakefield
 4. Broadband Connectivity Assessment, prepared by GTech Surveys

5. Television and Radio Reception Impact Assessment, prepared by GTech Surveys
 6. Archaeological Desk-Based Assessment, prepared by Oxford Archaeology¹
 7. Crime Impact Statement, prepared by Design for Security
 8. Energy Strategy Report, prepared by Ridge
 9. BREEAM Pre-Assessment Report, prepared by Impact Sustainability
 10. Evidence of Student Need, prepared by Cushman & Wakefield
 11. Flood Risk Assessment and Drainage Strategy, prepared by Shear Design
 12. Phase 1 Preliminary Risk Assessment Report, prepared by WSP.
 13. Factual Report on Ground Investigation, prepared by Structural Soils Ltd¹
 14. Local Labour Agreement, prepared by Fusion Students
 15. Residence Management Strategy, prepared by Fusion Students
 16. Social Spaces, Amenities & Student Wellbeing Strategy, prepared by Corstophine + Wright
 17. Preliminary Ecological Appraisal, prepared by Wardell Armstrong
 18. Bat Survey Report, prepared by Wardell Armstrong
 19. Statement of Community Involvement, prepared by BECG
 20. Transport Statement and Framework Travel Plan, prepared by Calibro
- 1.7 The submitted drawings are listed in **Appendix 1**.
- 1.8 Additional material was submitted to the Council on the 26th May 2021:
1. Revised lower ground floor plan ref. 20269-0310-P-02
 2. Formal response to the matters raised by neighbours and local ward councillors.
- 1.9 The case for the Appellant will address all matters left outstanding at the point the matter is determined. The Statement of Case addresses the Council's reasons for refusal and summarise the evidence that will be produced in support of the Appellant's case. The Appellant reserves the right to adduce further plans and documentation where relevant.
- 1.10 Matters identified in the Statements of Common Ground will be addressed.
- 1.11 The Appellant reserves the right to refer to any further evidence in support of the appeal including matters that arise from the process of agreeing common ground or other issues raised during the course of the appeal that are not covered directly by this Statement.

¹ This document was submitted with and previously approved through application ref. 115591/FO/2017 (and also 110730/FO/2015/C1 in the case of the Archaeological DBA). Letters of reliance were obtained alongside confirmation that there had been no material changes necessitating updates to the original reports and thus the original findings remain correct and relevant.

2. Site Context and Proposal

Site Description

- 2.1 The Appellant will seek to agree matters of site description, planning history and the proposal.
- 2.2 A full description of the appeal site will be provided including its relationship with the surrounding area, nearby buildings and local facilities and services, including the relevant higher education establishments.
- 2.3 A full description will be provided of the local area and the nature of the Great Jackson Street neighbourhood.

Planning History

- 2.4 The Appellant will provide evidence of the planning history of the site, insofar as relevant to the appeal proposals. This will examine reasons why the site has remained undeveloped and a visual detractor for a long period.
- 2.5 The Appellant will also provide details of the pre-application discussions held with Council Officers and the feedback received.
- 2.6 Details of the Appellant's engagement with the local community will be provided.

Proposed Development

- 2.7 The Application seeks full planning permission for the erection of a 28-storey purpose built student accommodation building (Sui Generis).

3. Planning Policy and Guidance

The Adopted Development Plan

- 3.1 The policies in the adopted Manchester Core Strategy that are considered relevant to the determination will be set out and they will be evaluated as applicable to the proposal . This will include support to be derived from :-
- Policy SP1 (Spatial Principles);
 - Policy CC3 (Housing);
 - Policy CC5 (Transport);
 - Policy CC6 (City Centre High Density Development);
 - Policy CC8 (Change and Renewal);
 - Policy CC9 (Design and Heritage);
 - Policy CC10 (A Place for Everyone);
 - Policy H1 (Overall Housing Provision);
 - Policy H12 (Purpose Built Student Accommodation);
 - Policy T2 (Accessible Areas of Opportunity and Need);
 - Policy EN1 (Design Principles and Strategic Character Areas);
 - Policy EN2 (Tall Buildings);
 - Policy EN3 (Heritage); and
 - Policy DM1 (Development Management).
- 3.2 Of the policies in the Manchester Core Strategy, those considered “most important” are as follows :-
- Policy SP1 (Spatial Principles);
 - Policy CC5 (Transport);
 - Policy CC6 (City Centre High Density Development);
 - Policy CC9 (Design and Heritage);
 - Policy H12 (Purpose Built Student Accommodation);
 - Policy EN2 (Tall Buildings); and
 - Policy EN3 (Heritage).
- 3.3 The remaining saved policies of the Unitary Development Plan that will also be referred to, include :-
- Policy DC18.1 – Conservation Areas; and
 - Policy DC19.1 – Listed Buildings
- 3.4 As will be agreed in the Statement of Common Ground there is no issue that the proposal meets the requirements of the Core Strategy in all other respects save for those listed in the reasons

for refusal.

- 3.5 The Appellant reserves the right to respond to any claimed relevance of any other policies of the adopted Development Plan by the LPA or third party as necessary.

Emerging Development Plan

- 3.6 The emerging Places for Everyone plan (Publication version, August 2021) is being prepared jointly by 9 of the 10 Greater Manchester Local Authorities, including Manchester City Council. The draft policies that are most relevant are considered to comprise, but are not limited to the following:

- Policy JP-Strat 2 – City Centre;
- Policy JP-P 1 – Sustainable Places;
- Policy JP-P 2 – Heritage; and
- Policy JP-P 5 – Education, Skills and Knowledge

- 3.7 Whilst the Appellant will contend that limited weight can be attached to this emerging DPD as the DPD has yet to be the subject of an independent examination and there are still unresolved matters, the appeal proposal will be considered against relevant emerging local policies.

The NPPF

- 3.8 The NPPF (2021) is a material consideration in the plan making and decision taking process. Reference will be made to this document, the associated Planning Practice Guidance (PPG) and any succession documents.
- 3.9 Paragraphs 7 – 10 sets out how sustainable development is achieved and will be referred to in support of the Appellant's case.
- 3.10 The Framework sets out the Government's policies on how sustainable development should be delivered and relevant policies will be referred to including but not limited to those that relate to delivering a wide choice of high quality homes, requiring good design, and conserving and enhancing the historic environment.
- 3.11 Paragraph 11 sets out the definition of the 'presumption in favour of sustainable development' for both plan making and decision taking. In respect of decision taking this means:
- Approving development proposals that accord with an up-to-date development plan without delay; and
 - Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 3.12 It will be demonstrated that the presumption in favour of sustainable development under para 11(c) should apply to the appeal scheme on the basis that overall, the appeal proposal complies

with an up to date development plan.

Other Documents

- 3.13 Relevant Supplementary Planning Documents include the Guide to Development in Manchester SPD (2007) and Technical Guidance (2015).
- 3.14 Relevant Strategic Regeneration Frameworks, plans and other documents produced by the Council will be referenced, including but not limited to:
- Great Jackson Street Strategic Regeneration Framework (2018);
 - Manchester Residential Quality Guidance (2017);
 - Powering Recovery: Manchester's Recovery and Investment Plan; and
 - Our Manchester Strategy 2016-2035.
- 3.15 The case for the Appellant will consider the weight that can be attached to such documents in terms of the preparation of such documents and the manner in which they have been deployed by the Council to decision making.
- 3.16 Two reports presented to and approved by the Council's Executive in November 2019 (agenda item 7) and December 2020 (agenda item 9) are also material considerations in that they deal with consideration by the Council of the application of Policy H12 of the Core Strategy and accordingly bear on whether a consistent approach is being taken in the context of the current appeal – a matter which the case for the Appellant will address.
- 3.17 Planning committee reports are also relevant in further allowing consideration of the consistency in decision making. Relevant reports to specific topics include:

Student need

- Planning committee report for planning application ref. 125654/FO/2019;
- Planning committee report for planning application ref. 121252/FO/2018; and
- Planning committee report for planning application ref. 118683/FO/2017.

Design and Heritage

- Planning committee report for planning application ref. 129273/FO/2021;
 - Planning committee report for planning application ref. 126668/FO/2020;
 - Planning committee report for planning application ref. 119806/FO/2018;
 - Planning committee report for planning application ref. 116850/FO/2017; and
 - Planning committee report for planning application ref. 113870/FO/2016.
- 3.18 The Appellant's evidence will assess the significance of, and the impact on, relevant heritage assets by reference to best practice guidance. This includes HEAN 3, on the setting of heritage assets and published documents describing the significance of the assets to which harm is alleged. The Appellant will likewise prepare evidence in relation to the results of and consistency with prior approaches of the LPA to the grant of relevant consents and other planning decisions which have had an impact on any relevant heritage assets or their settings which are alleged now to be harmed in the context of a dynamic urban environment.

4. The Appellant's Case

- 4.1 The Appellant's Case is set out in the Application documentation, notably Sections 5 to 7 of the Planning Statement and the Environmental Statement which is summarised in overview.

Principle of Development

- 4.2 Evidence will be provided to demonstrate that there is an unmet need for new high quality student accommodation.
- 4.3 There are currently around 20,963 students studying in the City that require a bed space and are unable to access a purpose-built student bed. Based on a conservative demand growth projection between 2019/20 and 2029/30, there will be 8,445 more students studying in Manchester who are likely to require accommodation. However, purpose-built bed space growth over this period is currently set to be only 46% of this figure. It is therefore likely that more students will be forced to live in unsuitable HMO accommodation or private rented apartments in central areas, depriving the City Council of Council Tax revenue. At four students per household, at least 1,316 additional houses will be required without more purpose built student accommodation (PBSA) development. The Appellant's analysis shows a clear desire for students to live in central areas, with the six areas with the largest increases in students living in private housing in the City in the last five years all located centrally.
- 4.4 The recently approved 853-bed PBSA development at Great Marlborough Street (121252/FO/2018) was supported by a Need Assessment² (prepared by Deloitte) which concurs with the Appellant's assessment that over 20,000 students do not have access to PBSA. The Deloitte assessment notes that the *"restricted choice faced by students in Manchester will result in a continuing pressure on residential accommodation that is not designed to meet their specific needs"*. It goes on to argue that *"there is an opportunity to release existing student occupied housing back into the market, by providing more attractive and high density PBSA developments that can better meet the needs of students"*.
- 4.5 It will be demonstrated that the appeal site is appropriately located for safe and convenient access by a range of modes to, from and for University campuses, which can be further enhanced through an appropriate package of public realm works to improve wayfinding. Evidence will be provided to demonstrate the accessibility of the site in relation to walking, cycling, and public transport in the context of amenities and facilities. It will also demonstrate that the nature of the area close to the appeal site is subject to development and changes which will further improve the quality of the journey between the site and the nearest University campuses.
- 4.6 The clear regeneration benefits arising from the development will be demonstrated, and evidence provided to show that the scheme does not conflict with the Great Jackson Street Development Framework (the status and application of which will be fully explored) specifically in its ambition to create a balanced, high quality residential-led neighbourhood.
- 4.7 Evidence will be provided to demonstrate that the development will bring forward beneficial socio-economic impacts at both the construction and operational phases.

² <https://pa.manchester.gov.uk/online-applications/applicationDetails.do?keyVal=PEZL20BCHDQ00&activeTab=summary>

Design and Heritage

- 4.8 Evidence will be presented to demonstrate that the appeal site is wholly appropriate for a tall building in terms of wayfinding, legibility and defining one of the key entrances, Chester Road, into Deansgate the city centre. Informed by the prominence of the site on Chester Road and the site's sharp, angular plan defined by Deansgate, Chester Road and Deansgate Quay, the design solution clearly relates well to the site and the guidance provided by the Great Jackson Street Development Framework. It will enhance the quality of the nearby townscape.
- 4.9 The extant consent is for a tall building. In the context of existing and surrounding tall buildings, a tall building on this site would not be intrinsically harmful, to the contrary it would be wholly appropriate as a location for not only a tall building but for one of this height.
- 4.10 This is a bespoke scheme that celebrates the prominence of the site, **not** by being the tallest building, but by a very well-considered form and design.
- 4.11 It will be demonstrated that the design of the proposed building, with reference to its siting, proportion, (scale, height and massing) and materiality, comprises high quality development which will enhance rather than being detrimental to the street-scene or to wider visual amenity.
- 4.12 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 – the appeal scheme will be shown to do this.
- 4.13 The sustainability of this building is not in question. Evidence will be presented that demonstrates that how the building as proposed would be of high quality. In its skyline and in its contribution to the character of Deansgate and in the context of the area covered by the Great Jackson Street Development Framework in its broadest extent, the building would be beautiful and of the highest quality.
- 4.14 It will be demonstrated that the height of the appeal scheme would be entirely in keeping with the existing and emerging heights of nearby and consented buildings in the surrounding context. With regard to the variety of tall buildings within the local context, it will be demonstrated that the vertical scale and slender massing of the appeal scheme is appropriate to this prominent location and that the proposed building, far from being incongruous, in fact would enhance the context.
- 4.15 It will also be demonstrated that the proposed development's relationship to Deansgate Quay is wholly acceptable having regard to the outlook and amenity of existing residents and the national imperative to make efficient use of land, to increase urban densities and that such relationships are entirely commonplace in the urban environment of the city.
- 4.16 The appellant's evidence will draw from and be broadly consistent with the findings of the Heritage Statement that supported the Application, and specifically will not identify harm to any of the assets under consideration. The Appellant will likewise demonstrate that the setting of nearby assets and the townscape more generally will be enhanced through the urban design of the proposals and their appearance through the urban and architectural design of the proposals.
- 4.17 The appellant will prepare evidence which in any event considers an alternative finding (contrary to the primary case for the Appellant), of a degree of less than substantial harm, and present evidence to demonstrate that any such harm would be limited in its extent and nature, particularly in the context of recent tall building consents and what is anticipated as a direction of travel in the development plan.

- 4.18 To illustrate these points, the appellant will rely on information presented in computer modelling form.
- 4.19 At the time of writing, the scope of heritage harm which the Council alleges is not clear and the Appellant seeks clarity in respect of the case which it is expected to meet. Whilst the reason for refusal identifies the Castlefield Conservation Area as one of the assets impacted, it refers only to nearby listed buildings, without specifying which ones or explaining how they are harmed. The appellant proceeds on the basis that the two buildings identified in the Committee Report, the former Congregational Chapel, known as Artingstall's Chapel, and the former Bridgewater Canal Offices, comprise the 'nearby listed buildings'.
- 4.20 The appellant will endeavour to clarify the buildings the Council concludes are harmed through the process of agreeing the Statement(s) of Common Ground.
- 4.21 The appellant will also seek to agree the history and significance of each of the assets at issue, and through the criteria in HEAN3 what the site, presently, contributes to their significance (positive, negative or neutral).
- 4.22 The evidence overall will conclude that insofar as any harm can be identified any such (less than substantial) harmful impacts would be clearly outweighed by public benefits, especially improvements to the setting of the affected assets. In the alternative, other land-use and design benefits weigh significantly, and compellingly, in favour of the scheme in any event.

Wind Microclimate

- 4.23 Insofar as it cannot be agreed, evidence will be provided to demonstrate that the wind microclimate mitigation measures proposed (street tree planting) is capable of being addressed by the implementation of conditions.

Responses to the Planning Application

- 4.24 The appeal proposal attracted a number of third party objections on a range of issues including but not limited to the principle of development; design; daylight, sunlight and overshadowing; noise; highways; and impact of construction. Where relevant and necessary, the Appellant will provide evidence to address the concerns raised by third parties.

Overall Planning Balance

- 4.25 The Appellants will demonstrate that the appeal scheme is acceptable and that it is in accordance with the development plan as a whole, national planning policy and guidance and that material considerations point in favour of the grant of permission.
- 4.26 In accordance with paragraph 11(c) of the Framework, the appeal proposal should be considered in the context of the presumption in favour of sustainable development as it accords with the development plan. It is considered that the appeal proposal constitutes sustainable development and contributes positively towards the three dimensions of sustainable development – economic, social and environmental.
- 4.27 The Appellant will further demonstrate that the appeal proposal is a sustainable form of development that will:
- Support the development and continued success of Manchester's world class universities through improving the student experience and encouraging graduates to remain in Manchester;

- Increase choice for student accommodation in the city;
- Reduce rental inflation;
- Better meet the pastoral and welfare needs of students;
- Reduce the reliance on HMOs;
- Enable the return of traditional family housing and city centre private rented sector to the open market;
- Provide 100 beds at a genuinely affordable rent;
- Provide safe and convenient access to and from University campuses and surrounding amenities by walking, cycling and public transport, enhanced through a scheme of public realm improvements;
- Support the ambitions of the Great Jackson Street Development Framework;
- Provide a scheme deploying both form and materials of a very high standard to achieve a high quality development that will function well, establish a strong sense of place and respond positively to the local character and appearance of the area without any unacceptable impact to designated heritage assets;
- Make an efficient use of a brownfield site in a sustainable location;
- Minimise its environmental impact through passive design initiatives, air source heat pumps and rooftop photovoltaic panels;
- Maximise on-site attenuation of rainwater through a green roof and blue roof detention cells;
- Incorporate significant opportunities for on-site planting and ecological enhancements, including bat boxes, as well as off-site enhancements through the planting of 7 new street trees;
- Will make an effective use of a parcel of derelict previously developed land that has been subject to numerous undelivered planning consents over the last 20 years;
- Provide section 106 contributions towards improving the public realm and wayfinding to the University campuses;
- Provide economic benefits associated with employment during the construction and operational phase and local expenditure from future residents.

4.28 There are no identified adverse impacts that cannot be appropriately mitigated.

4.29 In accordance with paragraph 11 of the Framework it is considered that there are no adverse impacts arising from the appeal proposal that would significantly and demonstrably outweigh the benefits of the appeal proposal. There are no specific policies in the Framework that would indicate that development should be restricted and in such circumstances the Framework directs that planning approval should be granted.

4.30 The case for the Appellant and the evidence submitted will show that the planning balance is in favour of planning permission being granted for the appeal proposal as it represents a sustainable form of development.

4.31 The Appellant will adduce evidence from experts in at least the following areas of expertise:-

- Planning including policy and planning balance;
- Student need;
- Design;
- Heritage;
- Sustainable transport and movement; and
- Wind and mitigation.

4.32 The Appellant reserves the right to make changes to the Appellant's case to respond to the publication of relevant material following the submission of this Statement of Case.

5. Conclusion

- 5.1 The appeal proposal is made in full for the erection of a 28-storey purpose built student accommodation building (Sui Generis). The development will deliver much needed high quality student accommodation in a sustainable location, including the delivery of 100 beds (18.4%) at an affordable rent.
- 5.2 The site is very well-located for the proposed use, with safe and convenient walking and cycling routes providing good access to nearby University campuses. It is proposed to further enhance these existing routes through an appropriate package of public realm works. High frequency public transport options located close to the site provide an alternative way of accessing the campuses.
- 5.3 The development will create a significant number of economic, social and environmental benefits which weigh heavily in favour of the proposal. The appeal scheme is considered to represent a very high quality and sustainable form of development and future residents will have access to a range of shops, facilities and services in Manchester city centre.
- 5.4 Evidence will be provided to demonstrate that the appeal proposal is a sustainable form of development as defined by the Framework and will contribute towards economic, social and environmental objectives.
- 5.5 It is the Appellant's case that planning permission should be granted for the appeal proposal and the Inspector is respectfully requested to allow the appeal subject to conditions and a planning obligation.

6. Conditions

- 6.1 The Appellant has suggested a list of conditions in the SoCG and it is envisaged that the conditions will be agreed as part of settling this document, however further consideration of these will be made at the Inquiry.

7. List of Documents to which the Appellant may refer

7.1 At the inquiry the Appellant will rely on the following documentation. The Appellant also reserves the right to add to this list should other documentation become relevant up to the appeal inquiry.

- All documentation submitted with the application, including the additional information submitted in response to consultation responses;
- All relevant correspondence between the Council and other relevant parties prior to the submission of the application and during the determination period including meeting notes, emails and any other relevant documentation;
- The decision notice, Officer report and other documentation relevant to the appeal site;
- All documentation to be submitted on behalf of the Appellant's expert witnesses, which will include the following experts:
 - Planning including policy and planning balance;
 - Student need;
 - Design;
 - Heritage;
 - Sustainable transport and movement; and
 - Wind and mitigation.
- Additional documentation prepared in the light of matters raised in the Council's Statement of Case, discussions with, or evidence submitted by others;
- Any relevant documentation relating to other sites, including:
 - Planning committee report for planning application ref. 129273/FO/2021;
 - Planning committee report for planning application ref. 126668/FO/2020;
 - Planning committee report for planning application ref. 125654/FO/2019;
 - Planning committee report for planning application ref. 121252/FO/2018;
 - Planning committee report for planning application ref. 119806/FO/2018;
 - Planning committee report for planning application ref. 118683/FO/2017;
 - Planning committee report for planning application ref. 116850/FO/2017; and
 - Planning committee report for planning application ref. 113870/FO/2016.
- Central Government guidance in the form of primary legislation, secondary legislation, Circulars, Ministerial Statements, National Planning Policy and Guidance and any other relevant publications including but not limited to consultation papers, letters, advice, or as may become relevant;
- Adopted and emerging development plan policies including any supporting evidence including technical papers and supporting background documents, or as may become relevant; and

- Relevant planning applications, appeal and Court Cases, including those relating to the creation of lawful SPDs and consistency in decision making.

Appendix 1 – List of Submitted Drawings

Drawing Title	Drawing No.
Existing - Site Location Plan	20269-0200 P-00
Existing - Site Plan	20269-0201 P-00
Existing - Plan - Ground Floor	20269-0210 P-00
Existing - Elevations - North, South, East and West	20269-0250 P-00
Proposed - Site Location Plan	20269-0300 P-01
Proposed - Block Plan	20269-0301 P-01
Proposed - Plan - Lower Ground	20269-0310 P-01
Proposed - Plan - Ground	20269-0311 P-01
Proposed - Plan - Mezzanine	20269-0312 P-01
Proposed - Plan - Typical 01-21st Floors	20269-0313 P-01
Proposed - Plan - 10th Floor	20269-0315 P-01
Proposed - Plan - 22nd Floor	20269-0316 P-01
Proposed - Plan - 23rd Floor	20269-0317 P-01
Proposed - Plan - 24th Floor	20269-0318 P-01
Proposed - Plan - 25th Floor	20269-0319 P-01
Proposed - Plan - 26th Floor	20269-0320 P-01
Proposed - Plan - 27th Floor	20269-0321 P-01
Proposed - Plan - Roof	20269-0322 P-01
Proposed - Room Types	20269-0325 P-02
Proposed - Section - A-A	20269-0340 P-00
Proposed - Section - B-B	20269-0341 P-00
Proposed - Section - C-C	20269-0342 P-01
Proposed - Elevations - North and South	20269-0350 P-01
Proposed - Elevations - East and West	20269-0351 P-01
Proposed - Streetscene Elevation - North	20269-0355 P-01
Proposed - Streetscene Elevation - South	20269-0356 P-00
Proposed - Elevation and Sections Study - Typical Ground and Mezzanine	20269-0360 P-00
Proposed - Elevation and Sections Study - Typical Level	20269-0361 P-00
Proposed - Elevation and Sections Study - Level Twenty Sixth External Terraces	20269-0362 P-00
Proposed - Elevation and Sections Study - East Elevation	20269-0363 P-01
Student Accommodation Schedule	20269-8001-07
Tree Strategy	LP2242-FIR-00-ZZ-DR-L-0003_P02
Boundary Treatments	LP2242-FIR-00-ZZ-DR-L-0002_P02
Landscape Masterplan	LP2242-FIR-00-ZZ-DR-L-0001_P02

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About Cushman & Wakefield

Cushman & Wakefield is a leading global real estate services firm that helps clients transform the way people work, shop and live. The firm's 45,000 employees in more than 60 countries provide deep local and global insights that create significant value for our clients.

Cushman & Wakefield is among the largest commercial real estate services firms, with core services of agency leasing, asset services, capital markets, facility services, global occupier services, investment & asset management (DTZ Investors), project & development services, tenant representation and valuation & advisory.

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