
APPELLANT STATEMENT OF CASE

**Appeal Under Section 78 of the Town and
Country Planning Act 1990 (as amended)**

By Dandara Living Developments Limited

**Against the Decision of Manchester City
Council in refusing Planning Permission for the
redevelopment of Land Junction of Parrs Wood
Lane, Manchester, M20 5AA**

January 2023

CONTENTS

1	Introduction	3
2	The Site and its Surroundings	6
3	Pre-Application Engagement and Consultation.....	15
4	The Appeal Proposals	23
5	Relevant Planning Policy Context.....	29
6	Key Issues for Consideration	39
7	The Appeal Procedure.....	81
8	Draft Planning Conditions/ Planning Obligations	84
9	Summary and Conclusion	85

APPENDICES

A	Appendix A – Decision Notice	89
B	Appendix B – Site Location Plan	90
C	Appendix C – Tesco Letter of Support	91
D	Appendix D – Schedule of Core Documents	92
E	Appendix E – MCC Executive Paper – June 2020	93

1 Introduction

INTRODUCTION

- 1.1 On 11 May 2022, Dandara Living Developments Limited ('the Appellant') submitted an application for full planning permission for residential development ('the planning application') (ref. 133746/FO/2022) to Manchester City Council ('the Council') for the redevelopment of Land Junction of Parrs Wood Lane, Manchester, M20 5AA ('the Site').
- 1.2 This Statement of Case ('Statement') has been prepared on behalf of the Appellant to accompany an Appeal against the decision of the Council to refuse planning permission on 2nd August 2022. Having regard to the Council's three reasons for refusal, this Statement details the case that will be advanced by the Appellant to establish that the appeal should be allowed.

THE PROPOSED DEVELOPMENT

- 1.3 The planning application (ref. 133746/FO/2022) was submitted in full detail via the Planning Portal (ref. PP-11206151) on 5 May 2022 and was validated by the Council on 11 May 2022. The description of development is as follows:
- "Erection of a 6 storey residential building (Use Class C3) comprising 75 no. apartments together with ground floor residential amenity space, landscaping, cycle parking, car parking and associated works."*
- 1.4 Hodder + Partners Architects oversaw the design process for the proposed development, working in collaboration with the wider design team including Curtins.

PRE-APPLICATION CONSULTATION

- 1.5 The application was subject to extensive pre-application engagement with Council Officers and local ward councillors. Comprehensive public consultation was also undertaken with local residents and businesses in advance of the submission of the planning application between 17 November to 9 December 2021 and 14 March to 5 April 2022 respectively, with drop-in events held on Wednesday 1 December 2021 and Tuesday 22 March 2022.

1 Introduction

DETERMINATION OF THE PLANNING APPLICATION

1.6 The planning application was presented to Manchester City Council's Planning and Highways Committee ('Planning Committee') on 28 July 2022, with an Officer recommendation to refuse the scheme for the following principal reasons:

- 1) *"The proposal is for a high density form of residential development outside of an identified district centre that does not address the housing needs of the area. As such the proposals do not accord with policies SP1, H1 and H6 of the adopted Manchester Core Strategy.*
- 2) *The proposals fail to provide an adequate level of on-site car parking to serve the proposed residential units contrary to policies DM1 and T2 of the adopted Manchester Core Strategy.*
- 3) *The applicant has failed to demonstrate that the proposed development would not give rise to unacceptable impacts to congestion on the highway network contrary to policy T1 of the adopted Manchester Core Strategy".*

1.7 Committee Members subsequently determined to refuse planning permission in line with Officer's recommendation.

1.8 The decision notice was issued on 2 August 2022 and is attached at **Appendix A**.

PROPOSED APPEAL PROCEDURE

1.9 A Public Inquiry to examine the reasons for refusal provided by the Council for planning application ref. 133746/FO/2022 is formally requested under the Town and Country Planning (Inquiries Procedure) (England) Rules 2000. Detailed justification for why the appeal should be heard at Public Inquiry is set out in section 7 of this Statement. Should matters be raised by the Council or their advisors, statutory consultees or third parties in relation to matters not covered by this Statement then we reserve the right to provide additional evidence in response.

STRUCTURE OF THIS STATEMENT

1.10 This remainder of this Statement is structured as follows:

- **Section 2: The Site and its Surroundings** – Sets out the application site and its wider context, sustainability and accessibility, and relevant planning history;
- **Section 3: The Appeal Proposals** – Describes the appeal proposals for which full planning permission is sought, including design rationale and sustainability credentials;
- **Section 4: Pre-Application Engagement and Consultation** - Provides a summary of the extensive pre-application engagement undertaken to inform the proposed development including amendments made to the proposals to address comments raised;
- **Section 5: Relevant Planning Policy Context** - Sets out the relevant policies of the statutory Development Plan and other material considerations against which the proposals should be determined;
- **Section 6: Key Issues for Consideration** – Identifies the key issues for consideration in the context of the Council's three reasons for refusal;
- **Section 7: The Appeal Procedure** – Establishes the Appellant's request for the Appeal to be examined by way of Public Inquiry having regard to the Planning Inspectorate's 'Procedural Guide: Planning Appeals – England' (dated 12 April 2022);
- **Section 8: Draft Conditions/ Planning Obligations** – Sets out the Appellant's approach to agreeing draft conditions and Unilateral Undertaking draft Heads of Terms; and
- **Section 9: Summary and Conclusion** – Summarises the Appellant's case against the Council's three reasons for refusal of planning permission.

2 The Site and its Surroundings

- 2.1 This section of the Statement provides a description of the site and its surrounding context, highlighting its highly sustainable location and ready accessibility by active travel and public transport.

THE SITE

Site Description

- 2.2 The Site is 0.24 hectares (2,400m²) in area. It is irregular in shape and constitutes previously developed land. The Site is located in Didsbury and is bound by Kingsway to the east, Parrs Wood Lane to the South and Tesco store and car park to the north and west. The East Didsbury Metrolink stop and associated surface car park is located across Kingsway and East Didsbury Railway Station is located approximately 250m to the south west of the site. It is a highly accessible previously developed site within the existing urban area.

- 2.3 A plan showing the location of the site is shown at **Appendix B**.

Existing Use

- 2.4 The site presently forms an underused part of the existing car parking area of the associated Tesco store located off Parrs Wood Lane. It presently comprises an area of hardstanding with circa 94 car parking spaces alongside intermittent landscaping and trees. Trees are also planted along the northern boundary of the site where it interfaces with the remaining car parking serving the Tesco Superstore. The Site has been identified as being surplus to Tesco's current requirements. The existing Tesco Superstore presently has capacity for 351 car parking spaces, including 19 staff parking spaces. The development seeks to remove 94 car parking spaces, leaving 257 car parking spaces operational.
- 2.5 Tesco has undertaken detailed occupancy surveys to determine their car parking needs, these surveys confirmed that a reduction in 94 car parking spaces will still provide a surplus of car parking to meet their needs at peak times during normal operations. Attached at **Appendix C** is a letter of support from Tesco which confirms the above and concludes that:

2 The Site and its Surroundings

“We monitor car park usage across our portfolio and where there are surplus spaces we look to put them to a variety of beneficial uses, as we have done to date on many of our store sites. As a retailer ensuring that we have adequate car parking for our customers is a priority and due to changes in shopping patterns we do not believe that the reduction in parking will adversely impact the store in the short, medium, or long term”.

- 2.6 The site was formerly occupied by a bus depot and a clock tower (a remnant of this former use) lies just outside the site’s boundary. This feature is not considered to have any intrinsic heritage value.

Statutory and Non-Statutory Designations

Heritage

- 2.7 The site is not subject to any statutory or non-statutory heritage designations nor is it proximate to any such heritage assets designated or undesignated.
- 2.8 Within 250m of the site is the Didsbury St James Conservation Area, situated to the west, and a series of statutorily listed buildings, including the Grade II* ‘Parrs Wood House’ (List UID: 1254971) and Grade II ‘Former Coach House/Stable Block to North of Parrs Wood House and Attached Yard Wall’ (List UID: 1254972), ‘The Cedars’ (List UID: 1270546); ‘Lodge to Didsbury Lodge’ (List UID: 1254969); and ‘Walls and Gate Piers at Entrance to Didsbury Lodge’ (List UID: 1270547). The significance of none of the above will be affected by the proposals with the site considered to be located outside of the setting of these assets, screened by intervening development.
- 2.9 As noted above there is a clock tower on the site which is a remnant of its former use as a public bus depot. Whilst this is undoubtedly a local landmark it has not been identified as having any particular heritage value and does not comprise a heritage asset therefore.

2 The Site and its Surroundings

Nature Conservation

- 2.10 The site is not subject to any statutory or non-statutory nature conservation designations. However, it does contain 28 individual trees and one group of varying quality, as detailed in the Tree Survey submitted with the planning application, however, none are subject to Tree Preservation Orders.

Landscape

- 2.11 The site is not subject to any statutory or non-statutory landscape designations.

Flood Risk

- 2.12 As noted on the Environment Agency's Flood Map, the site is located within Flood Zone 1 and as such has low probability of flooding.

Air Quality

- 2.13 The Site is partially located within the Greater Manchester Combined Authority Air Quality Management Area (AQMA) declared due to Nitrogen Dioxide exceedances.

Planning Designation

- 2.14 The Council's adopted Policies Map indicates that the Site is located within the Manchester City Boundary and South Manchester Sub Area (Core Strategy Policies EC9 and H6). The site also falls within the boundary covered by the South Manchester Strategic Regeneration Framework (SRF) which was adopted by the Council as a material consideration in 2007.

SITE SURROUNDINGS

Strategic Context

- 2.15 The Site is situated within East Didsbury in South Manchester. The site falls outside of the defined Didsbury district centre boundary but is located reasonably close to it.

2 The Site and its Surroundings

Neighbouring Uses and Character

- 2.16 The surrounding is characterised by a wide variety of uses including residential (C3), retail (E(a)), food and drink (E(b)) office (E(g)(i)), hotel (C1) and Sui Generis ('drinking establishment') with the Parrs Wood Entertainment Centre, Grosvenor Casino, restaurants including Nando's, Starbucks, JD Wetherspoons, and Travelodge situated to the south east.
- 2.17 Parrs Wood Green, an area of landscaped public realm is located directly south of the site opposite Parrs Wood Lane/ A5145.
- 2.18 To the east and north, the surroundings comprise residential uses. Two high schools, The Barlow RC High School and Parrs Wood High School are located c.450m north and c.350m south respectively. The location of the site reasonably close to Didsbury district centre and given the wide variety of uses in the surrounding area.

Scale and Form

- 2.19 The surrounding area is characterised by buildings of a mixed of scale and form. There a number of taller residential buildings in the vicinity of the Site including CitiPeaks, which is 7-storeys in height and Parrs Wood Court, which is 5-storeys in height. There are also non-residential buildings including Parrs Wood Entertainment Centre that is circa 5 storeys in height. Further to the west and the north of the Site are residential areas of lower scale and density.

SUSTAINABILITY AND ACCESSIBILITY

Accessibility

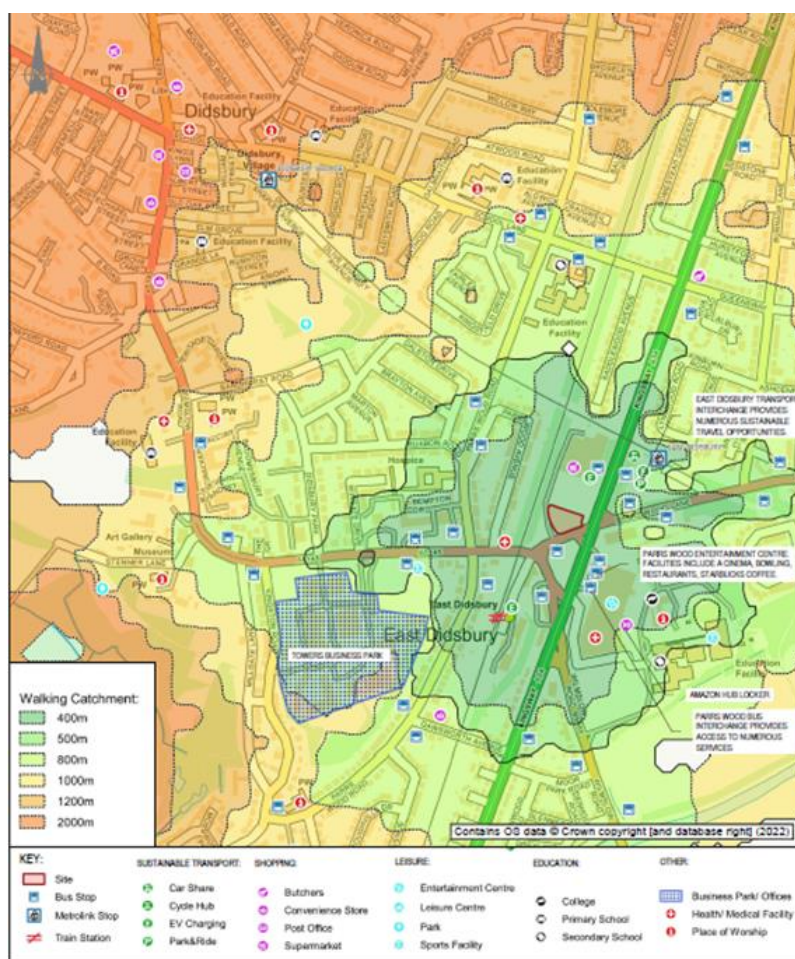
- 2.20 The site is situated in a highly accessible location with a Greater Manchester Accessibility (GMAL) rating of Level 8 ('very high') as defined by TfGM. It is easily accessed by active travel (walking and cycling) and is located in close proximity to a range of public transport modes including bus, Metrolink and train.

2 The Site and its Surroundings

Pedestrian Accessibility

- 2.21 As shown in figure 2.1 below, the site is highly accessible by foot with pedestrian footways directly abutting the site along Parrs Wood Lane and Kingsway. Access to the residential development is currently located off Parrs Wood Lane, by the public footpath. A wide array of leisure, retail, employment and education facilities are within ready walking distance of the site.

Figure 2.1 – Pedestrian Accessibility



Cycling Accessibility

- 2.22 The Bee Network proposal is a vision for Greater Manchester to become the very first city region in the UK to have a fully joined up cycling and walking network; the most comprehensive in Britain, covering 1000 miles. In Manchester, 279 new or upgraded

2 The Site and its Surroundings

crossings are proposed enabling 94% of the population to use Beelines. Three miles of Beelines on busy roads are proposed.

2.23 There are currently cycle ways along Kingsway within the vicinity of the site, and National Cycle Network Routes 55 and 62 are located within 250m north of the site connecting to Warrington and Merseyside.

2.24 A wide array of leisure, retail, employment and education facilities are within ready cycling distance of the site.

Accessibility by Public Transport

2.25 As noted in the Council's Committee Report (dated 28 July 2022) the appeal site is situated in a "*location accessible to a variety of public transport modes*" (pg. 16), as described below:

Bus Network

2.26 The closest bus stops to the Site are located to the south across Parrs Wood Lane, circa 100m distance and adjacent to East Didsbury Rail station, circa 200m distance and to the east along Kingsway, circa 250m distance.

2.27 The bus stops in proximity to the Site are served by several routes with connections across Greater Manchester. On average, the services provide one bus every ten minutes in each direction. This links the site to the retail and commercial centres of the conurbation.

Metrolink Network

2.28 Manchester benefits from a regular tram system, with the nearest stop located in East Didsbury, approximately 250m to the south-east of the Site. The Tram Stop provides direct services to Manchester City Centre, Shaw and Crompton and Rochdale Town Centre, whilst also providing access to the wider tram network.

2 The Site and its Surroundings

Railway Network

- 2.29 The closest Rail Station to the development is East Didsbury, located within 200m south-west of the proposed development. This station provides connections to national destinations including Manchester Piccadilly, Manchester Oxford Road, Manchester Airport, Liverpool Lime Street, Crewe and Chester.

Sustainability – Proximity to Amenities, Services and Facilities

- 2.30 Within walking distance of the site are a range of amenities, services and facilities, as detailed in table 2.1 below, that would be typically associated with a district centre. As a result, the site is considered to represent a highly sustainable location for residential development. It is the sort of location to which national policy advises that density of development should be 'optimised' (see § 125 of NPPF).

Table 2.1 – Local amenities within walking distance of the site

Local Amenities	Approximate Walking Distance from Site (m)	Approximate Walking Time from Site* (mins)
Employment		
Towers Business Park	650	8
Heaton Mersey Industrial Estate	1,300	15
Education		
Parrs Wood Sixth Form	300	4
Parrs Wood High School	450	5
The Barlow RC High School	600	7
St Catherine's RC Primary School	800	10
Beaver Road Junior School	1,000	12
Didsbury Primary School	1,100	13
Broad Oak Primary School	1,200	14
St John's C of E Primary School	1,300	15
St Winifred's RC Primary School	1,800	21
Priestnall School	1,900	23
Narazene Theological College	1,900	23

2 The Site and its Surroundings

Local Amenities	Approximate Walking Distance from Site (m)	Approximate Walking Time from Site* (mins)
Healthcare		
The Dentists of Didsbury	180	2
Didsbury Family Dental Care	760	9
Barlow Medical Centre	1,000	12
The Dental Health Centre	1,200	14
Shopping		
Tesco Superstore, East Didsbury	80	1
Amazon Hub Locker (Flirt) at Parrs Wood Entertainment Centre	550	7
Gawsworth General Store	650	8
Wheildon Butchers	650	8
M&S Simply Food, Didsbury Road	700	8
McColls Convenience Store, Didsbury Road	1,100	13
Co-op Food, Didsbury	1,200	14
Didsbury Village Post Office	1,200	14
Leisure		
Parrs Wood Entertainment Centre	250	3
Nuffield Health Didsbury Fitness & Wellbeing Centre	350	4
Didsbury Greys Hockey Club	350	4
Didsbury Park	900	11
Heaton Mersey Village Cricket Club	950	11
Didsbury Lawn Tennis Club	1,000	12
Fletcher Moss Park	1,000	12
Waterside Leisure Centre	1,000	12
Sustainable Transport		
East Didsbury Rail Station	300	4
East Didsbury Metrolink Station	350	4
East Didsbury Rail Station Cycle Hub	350	4
East Didsbury Park & Ride	400	5
Various Bus Stops	<400m	<5

*based on an average walking speed of 1.4m/s.

2 The Site and its Surroundings

RELEVANT PLANNING HISTORY

- 2.31 A planning history search has been undertaken using the Council's Planning Public Access portal. The majority of previous planning applications submitted have related to signage proposals associated with the adjacent Tesco Superstore. In January 2018 a planning application was submitted in respect of the site for the "*Erection of a two-storey restaurant/hot food takeaway (Class A5/Class A3 use) with basement, car parking (including electric charging bays), landscaping including new pedestrian access and associated works*" (ref. 118206/FO/2017). The application was withdrawn by the Applicant for the proposal in June 2018 prior to the Council's Planning and Highways Committee due to take place on 28th June 2018. No further planning applications of relevance to the Appeal have since come forwards.

3 Pre-Application Engagement and Consultation

- 3.1 The section provides an overview of the pre-application engagement and public consultation undertaken in respect of the proposed development. It summarises the key amendments made to the scheme prior to submission in order to address matters raised.

PRE-APPLICATION ENGAGEMENT

- 3.2 In accordance with recommended best practice, as set out in national planning guidance and the Manchester Statement of Community Involvement (SCI) (June 2018), the Appellant undertook extensive consultation with the following interested parties prior to the submission of the planning application to the Council:

- Manchester City Council Officers;
- Local elected representatives; and
- Local residents and businesses.

- 3.3 A summary of pre-application discussions held is provided below:

Manchester City Council Officers

Planning Officers

- 3.4 Initial pre-application discussions were held with Senior Officers at the Council prior to the submission of the planning application in 2021. It was the Council's contention that Core Strategy Policy H6 advises that high density development in South Manchester will generally only be appropriate within district centres. In order to move past this 'general' provision further evidence was requested by officers demonstrating that the car parking proposed for redevelopment was actually surplus to Tesco requirements and that the proposed Dandara development would not exacerbate congestion in what is a busy part of the city.

3 Pre-Application Engagement and Consultation

Highways Officers

- 3.5 Detailed pre-application discussions were held between Curtins and the Council's Highways Officers as well as TfGM. A summary of the pre-application responses received on 6 October 2021 are provided in table 3.1 below:

Table 3.1 'Manchester City Council Highways Officer and TfGM Pre-Application Responses

Statutory Consultee	Pre-Application Response
MCC Highways	<u>Access</u> MCC Highways requests that visibility splays should be submitted as part of the planning application. <u>Site Accessibility</u> Access to the site is acceptable in principle. MCC Highways request that the footways onto Tesco are widened as they appear to be less than 2.0m. <u>Parking</u> MCC Highways welcomes the review of the local highway network and determination of the availability of on-street parking. Highways agrees that parking opportunities within the surrounding walking catchment (400m) is limited due to TROs, existing on-street parking and road widths. Highways would expect to see evidence that the development would not negatively impact the surrounding highway network and cause additional on-street parking within an already saturated area. The development proposes 40 car parking spaces (45% parking provision). This provision is acceptable. The report states the potential for mitigation with monitoring and enforcement of a short-stay free parking period at Tesco to reduce misuse. Highways welcomes this arrangement and request more details be included within the TA submitted as part of the application. Noted that the parking discussion does not include information regarding the management of Tesco car park to ensure it isn't used by residents and visitors of the proposed development.

3 Pre-Application Engagement and Consultation

	20% of the total number of spaces within apartment schemes should be fitted within EV charge points (min 7KW). There should also be a commitment to monitoring usage within the TP and increasing the provision when necessary. The proposed permit scheme (managed by Dandara) for the communal residents car park is welcome by Highways. Highways requests that the potential for car club spaces is explored to encourage sustainable trips. <u>Cycle Parking</u> MCC Residential Guidelines notes that secure and sheltered cycle parking provision should be made within the curtilage of the site, at a provision of one per unit. <u>Improvements</u> It is requested that the existing crossing be upgraded to full TSGRD zebra standard.
TfGM HFAS (Highways Forecasting Analytical Services) and UTC (Urban Traffic Control)	<u>Trip Generation</u> TfGM requested that a straight comparison to current (or even maximum) car park occupancy would provide a more accurate representation, as using the difference between the two makes the proportional change greater. TfGM highlighted the discrepancy between the statement that there is plenty of car parking available to accommodate demand but then assume the car park is fully occupied to calculate the net traffic impact for the new development. <u>Junction Impact Assessment</u> The junctions adjacent to the site are oversaturated with traffic. The data collection should reflect the traffic demand rather than simply the traffic volumes that get through on the green signal – as such timed queue lengths should be recorded. Any increase to any junction over 30 vph will need all the junctions to be modelled. Additionally, given the existing congestion levels in the area and the history of the previous application at the site, the traffic conditions in the area are a key concern for the local residents.

Local Elected Representatives

- 3.6 Prior to undertaking wider public consultation, the project team held a series of meetings with Didsbury East Ward Members Cllr Andrew Simcock, Cllr Linda Foley and Cllr James Wilson. These are summarised as follows:

3 Pre-Application Engagement and Consultation

- **1 September 2021** - A Microsoft Teams meeting with Councillor Andrew Simcock to introduce the early stage scheme proposals and the strategy for pre-application community consultation.
- **9 September 2021** - An in-person meeting and visit to the Appellant's development at Chapel Wharf, Salford, attended by all three Ward Members . The discussion around the proposals focused on:
 - Issues relating to vehicular access and congestion.
 - The wider transport strategy in terms of potential for a car club offering and measures to encourage cycling.
 - The need to ensure indicative images of the proposals included as much of the existing context as possible.
 - The nature of Build-to-Rent developments in general, but in particular the Appellant's proposal, the range of people this appeals to and the affordability of the homes.
 - The plans to include a community space at the ground floor of the building.
 - The plans for the consultation process and the key groups and organisations to include in this.
- **8 November 2021** - A meeting on the site of the proposed development with Cllr Andrew Simcock to provide an update on the development of the proposals and the timescales for the first phase of community consultation.
- **27 January 2022** - Following the conclusion of the first phase of consultation, an on-site meeting with Councillor Andrew Simcock and Councillor James Wilson. This meeting included a reflection on the feedback received during the first phase of community consultation as well as an introduction to the Applicant's revised scheme

3 Pre-Application Engagement and Consultation

in response to this consultation feedback (the reduction to a six storey building providing 75 apartments and increasing the parking provision to 44%). There was a discussion with the councillors about the merits of undertaking a second phase of community consultation to present the revised proposals and it was agreed that this approach would be followed.

PUBLIC CONSULTATION

3.7 Comprehensive public consultation was also undertaken with local residents and businesses in advance of submission of the planning application between 17 November to 9 December 2021 and 14 March to 5 April 2022 respectively, with drop-in events held on Wednesday 1 December 2021 and Tuesday 22 March 2022. A summary is provided below:

Phase One Pre-Application Public Consultation

3.8 The first phase of pre-application consultation with local residents, businesses, community and interest groups was undertaken over a three week period from 17 November 2021 to 9 December 2021.

3.9 In publicising the consultation, a postcard was distributed in the post to all residential and business addresses within an agreed distribution area comprising approximately 960 addresses. The extent of the area was discussed and agreed with ward councillors ahead of the consultation period.

3.10 The consultation postcard directed recipients towards the consultation website for details of the draft proposals and to provide their feedback, via the dedicated online feedback form or by email.

3.11 An email to introduce the consultation was issued to key local community organisations on 17 November 2021. The following groups were contacted:

- Didsbury Civic Society;
- Parrs Wood Entertainment Centre;

3 Pre-Application Engagement and Consultation

- Friends of Didsbury Park;
- Didsbury Good Neighbours; and
- Parrs Wood Avenue Resident's Association.

3.12 The consultation postcard also promoted the consultation webinar on 29 November 2021 and the in person consultation event on 1 December 2021.

3.13 In order to publicise the event further and reach a maximum audience, a press release was issued on 17 November 2021 and was featured by the following local media outlets:

- Place North West;
- Manchester Evening News;
- Insider Media;
- J99 News; and
- The Business Desk.

3.14 In total, 20 people attended the webinar and the webinar recording was subsequently uploaded to the consultation website and was viewed 29 times during the consultation period. During the consultation period there were a total of 4,468 website visits from 3,004 users in total.

3.15 In total, 90 people attended the in person consultation event. Five members of the Didsbury Civic Society were given a small presentation and shown around the exhibition ahead of the opening to the public. All three ward councillors representing Didsbury East ward were amongst the attendees.

Phase Two Pre-Application Public Consultation

3.16 A second phase of pre-application consultation with local residents, businesses, community and interest groups was undertaken between 14 March and 5 April 2022.

3 Pre-Application Engagement and Consultation

- 3.17 In publicising the consultation, a postcard was distributed in the post to all residential properties and businesses addressed within an agreed distribution area of approximately 960 addresses. The extent of the area was discussed and agreed with ward councillors ahead of the consultation period.
- 3.18 The consultation postcard directed recipients towards the consultation website for proposals details and to provide their feedback, via the dedicated online feedback form or by email.
- 3.19 The consultation postcard also invited recipients to attend an in-person consultation event on 22 March 2022.
- 3.20 The dedicated consultation website (www.blackbirdyard.info) was updated on 22 March 2022. The website provided detail on the revised proposals and vision for the development. It also included a 'Get Involved' page, with links to the online feedback form, the project email address and the project telephone line.
- 3.21 In total, 57 people attended the in person consultation event. During the consultation period, there were a total of 721 website visits from 326 users, a marked reduction from the first consultation.

Public Consultation - Key Matters Raised

- 3.22 The key matters raised by those who attended the consultation events or reviewed the proposals online related to a number of themes, as detailed in full in the Statement of Community Involvement that was submitted with the planning application. These can be summarised as follows:
- Traffic/ congestion;
 - Parking provision;
 - Building Design, Height and Massing;
 - Alternative Sites and Need for the Development;

3 Pre-Application Engagement and Consultation

- Tenure Type;
- Local Amenities and Services;
- Pollution and Air Quality;
- Landscape and Trees;
- Construction Impacts;
- Light;
- Noise; and
- Drainage.

DESIGN RESPONSE TO PUBLIC ENGAGEMENT AND CONSULTATION

3.23 Following the pre-application engagement with Council Officers, local ward councillors and the local community, the Appellant took all comments into consideration and undertook a review of the proposed development. The design team subsequently revised several aspects of the original proposals as set out below:

- **Quantum of Development** – The updated reduced the no. of apartments proposed from 95 to 75, a reduction of 20%;
- **Height** - The height of the proposed building was reduced from seven to six storeys;
- **Car Parking Provision** – The car parking provision was increased by 44% to 33 car parking spaces and subsequently by a further 3 spaces to 36 (comprised of 31 standard spaces, two accessible spaces, two visitor spaces and one car club space).

3.24 Other matters raised during the pre-application engagement and public consultation were comprehensively addressed through the planning application submission documents including Design and Access Statement and Transport Assessment.

3.25 Further evidence will be provided as part of the Appeal in respect of the appropriateness of design response, traffic impacts and car parking provision.

4 The Appeal Proposals

- 4.1 This section provides an overview of the proposed development, including response to car parking and measures to enhance sustainability. These proposals were informed by a contextual design approach to the site's location and surroundings, comments received through the pre-application consultation process and relevant technical assessments.

Use and Amount

- 4.2 The proposed development will provide 75 new homes consisting of 25 one bedroom (33%), 40 two bedroom (53%) and 10 three bedroom (14%) homes. All the new homes will be available to rent on long term assured tenancies and will be actively managed by the Appellant. The proposed development will also include 20% affordable private rented apartments equating to 15 apartments.
- 4.3 On the ground floor 114 sq. m. of flexible community space will be provided in addition to a concierge and 75 cycle parking spaces.
- 4.4 In terms of car parking, 36 spaces (including 31 resident parking spaces, 2 accessible bays, 2 visitor spaces and 1 car club space) are to be provided alongside associated landscaping and enhanced public realm.
- 4.5 A schedule of accommodation detailing the quantum of development proposed is set out in table 4.1 below:

Table 4.1 – Proposed Schedule of Accommodation

Residential Accommodation					
	1 bed (1 person)	1bed (2 person)	2 bed (3 person)	3 bed (4 person)	Apartments per Floor
Level 0	0	0	0	0	0
Level 1	1	4	8	2	15
Level 2	1	4	8	2	15
Level 3	1	4	8	2	15
Level 4	1	4	8	2	15
Level 5	1	4	8	2	15
Sub Total	6	20	40	10	75

4 The Appeal Proposals

Layout

Ground Floor Uses

- 4.6 The flexible community space will create an active frontage on Parrs Wood Lane. This space will be available to be booked by members of the local community/ public for various purposes including, but not limited to events, classes and meetings. When not specifically booked for use by the local community the space will be available for residents of the development to use for a variety of purposes associated with living in a private rented scheme.
- 4.7 Secure cycle storage comprising 75 spaces is also provided on the ground floor.

Upper Floors

- 4.8 The typical layout of the proposed development contains a mix of 1 bedroom, 2 bedroom and 3 bedroom apartments, all with private amenity space in the form of inset and Juliet balconies to the south and projecting balconies to the north, as well as 4 garden terraces to the south east.
- 4.9 The apartments are organised around the living spaces with bedrooms to one or both sides. The kitchen is located to the rear of the living space, with the living space nearest to the window.
- 4.10 In the 2 bed apartments one bedroom has an ensuite, whilst the other has direct access from both the living and bedroom spaces to the main bathroom.
- 4.11 All apartments within the proposed development meet Nationally Described Space Standards (NDSS), exceeding currently adopted Development Plan policy and providing improved living space for residents.
- 4.12 The apartments are laid out to provide an entrance zone to give better definition and a depth of threshold to the living spaces. The service cupboard is typically located by the entrance door.

4 The Appeal Proposals

4.13 Key features includes:

- Open plan living arrangement;
- Spacious double bedrooms with built in storage;
- High quality and spacious kitchen installation;
- Floor to ceiling glazing;
- Private balcony space;
- Ensuite accommodation; and
- High quality fixtures and furniture.

Core

4.14 The floors are served by two cores, the main central core and a secondary escape core. Each floor of the building can be accessed via a passenger lift in each of the cores. Step free level access is also provided on the ground floor level.

Electrical Substation

4.15 The electrical substation for the proposed development will be located at ground floor level. The substation will include a green roof, maximising opportunities for increasing biodiversity.

Entrances

4.16 The layout of the proposed building allows for two entrances. The first entrance, located adjacent to the Tesco car park entrance at the south point of the building, utilises the direct pedestrian route for train and bus stops and provides access to the shared community space at ground floor level.

4.17 The second entrance, located on the northern side of the building, can be accessed from the car park and external landscaped public realm.

4 The Appeal Proposals

- 4.18 A third entrance is available via the escape core to the north of the site, closest to Tesco car park.

Scale and Massing

- 4.19 The height, scale and massing of the proposals have been directly influenced by the surrounding context in Parrs Wood with a height to parapet of +57.45m AOD. The roofscape is articulated through bronze coloured metal to reduce the height appearance.

Appearance and Materiality

- 4.20 The appearance and materials of the proposed development is set out within the Design and Access Statement prepared by Hodder & Partners. The whole comprises a high quality of architectural design.
- 4.21 The façade treatment for the proposed development is split into three zones:
- Ground floor, terraces and entrances, allowing the landscape and public realm to integrate the building.
 - The middle element of the façade will be formed of townhouse style brick and grey metal balconies punctuated by grey metal windows.
 - The roof level comprises bronze coloured metal panels that link to the accentuations on the middle level.
- 4.22 Window frames are proposed to be grey with grey metal reveals to match the brickwork. The brickwork is contrasted with bronze cladding to both the window openings and the top floor. To reduce the perceived mass of the building the upper storey is articulated within bronze boxes, providing an easily identifiable roofscape.

Landscape and Public Realm

- 4.23 Landscape will be provided throughout the ground floor and terraces, with the introduction of 37 new trees, planting and hedgerows.

4 The Appeal Proposals

Access

Vehicular Access

- 4.24 Vehicular access to the Site is taken from the existing Tesco Superstore access road located off Parrs Wood Lane. Vehicles will enter the Site in the same manner to Tesco customers, travelling ahead then bearing right along an internal access road. Tesco customers would access the Superstore via a left turn at the entrance of the car park, whilst residents of the proposed development would continue along the access road and turn right into the car park entrance.

Inclusive Access

- 4.25 The proposed development has been designed so as to facilitate inclusive access. The car park entrance to the apartments, along with the communal areas at ground floor level of the building has level access. Each floor of the building can be accessed via a passenger lift in each of the cores. Step free access is also provided to the shared community space at ground floor level.

Sustainability

- 4.26 A fabric first approach to minimising energy demand by reducing heat loss from the building envelope and building systems has been taken in developing the scheme design. As established in the Environmental Standards Statement submitted with the planning application the proposals will secure the following improvements against Part L1A (2013):
- Dwelling Emission Rate (DER; carbon dioxide emissions) for the residential elements of the scheme will secure an approximate 9% betterment over Part L1A (2013) standards.; and
 - The residential dwellings are expected to achieve a Dwelling Fabric Energy Efficiency betterment of at least 11% relative to the Part L compliance criterion.

4 The Appeal Proposals

4.27 The indicative standard assessment procedure (SAP) calculations demonstrate that the DER reduction for the proposals will provide an improvement over the Part L1A (2013) compliance standard as a consequence of the following proposed enhanced fabric specifications, efficient mechanical and electrical systems and onsite micro generation:

- Mechanical ventilation heat recovery systems for each apartment;
- High efficiency hot water cylinders;
- Provision of 100% LED lighting specified in all apartments and communal zones;
- Installation of roof mounted photovoltaic (PV) array.

Parking

4.28 The ground floor comprises 75 no. secure cycle parking spaces, 36 no. car parking spaces (including 31 no. resident parking spaces, 2 no. accessible parking spaces, 2 no. visitor parking spaces and 1 no. car club space) alongside associated landscaping and public realm.

4.29 All parking spaces will be equipped with passive electric vehicle charging infrastructure to futureproof the development, with 20% active provision. Passive provision, whereby the suitable infrastructure is in place but active chargers are not yet installed, can be expanded over time in response to demand.

4.30 Car parking will be closely managed via a car park management plan, with a priority for those with mobility issues who require the use of a private motor vehicle, as well as those with a proven need for a vehicle, such as shift workers. The objective of the car park management plan will be to discourage the unnecessary ownership and therefore use of the private car by residents. This is discussed in more detail in Chapter 6.

5 Relevant Planning Policy Context

- 5.1 This section sets out statutory development plan policies and other material considerations of relevance to the proposals and weight to be apportioned to them in the decision making process having regard to national guidance.

LEGISLATIVE FRAMEWORK

- 5.2 The Planning and Compulsory Purchase Act 2004 ("The Act") establishes the legislative framework for town planning in England and Wales. Section 38(6) of The Act requires that proposals are determined in accordance with the Development Plan, unless material considerations indicate otherwise.

STATUTORY DEVELOPMENT PLAN

- 5.3 The statutory development plan for the Council comprises the following adopted documents:
- 'Saved' Policies of the Unitary Development Plan for the City of Manchester (July 1995);
 - Manchester Core Strategy Development Plan Document 2012-2027 (July 2012); and
 - Greater Manchester Joint Waste Plan (April 2012); and
 - Greater Manchester Joint Minerals Plan (April 2013)
- 5.4 Development Plan policies of specific relevance to the determination of the planning application subject to this Appeal are set out below. It is not considered that any policies contained in the Joint Waste or Minerals Plans are directly applicable in this instance.
- 5.5 The policies identified in the Council's reasons for refusal of planning permissions are emphasised in bold. The other relevant policies which are not highlighted in bold are presumed to be agreed to be either complied with or not breached.
- 5.6 The matter of weight to be afforded to relevant policies and material considerations has been assessed against the relevant provisions contained in the National Planning Policy

5 Relevant Planning Policy Context

Framework (NPPF) (para. 48 and 219) and Planning Practice Guidance (PPG) (ref. ID:21b-009-20140306).

‘Saved’ Policies of the Manchester Unitary Development Plan (July 1995)

5.7 The Unitary Development Plan (UDP) for the City of Manchester was adopted in July 1995. However, ‘saved’ policies contained in the UDP have now largely been superseded by the Core Strategy (2012). The following ‘saved’ UDP policies are of specific relevance:

- Saved UDP Policy DC7.1 ‘New Housing Development’
- Saved UDP Policy DC20.1 ‘Archaeology’
- Saved UDP Policy DC26 ‘Development and Noise’

5.8 The ‘saved’ UDP was adopted in 1995, some 17 years prior to the publication of the NPPF. Notwithstanding this, the above ‘saved’ policies broadly accord with the provisions of the NPPF. No ‘saved’ UDP policies have been quoted in the reasons for refusal and it is considered that the proposals are not in conflict with the above ‘saved’ policies of relevance.

Manchester Core Strategy (July 2012)

5.9 The Core Strategy was adopted in July 2012 replacing significant elements of the ‘saved’ UDP. It covers a 15 year plan period from 2012 - 2027.

5.10 The following Core Strategy policies are of specific relevance:

- **Policy SP1 ‘Spatial Principles’**
- **Policy H1 ‘Overall Housing Provision’**
- **Policy H6 ‘South Manchester’**
- Policy H8 ‘Affordable Housing’
- Policy EC9 ‘South Manchester’
- **Policy T1 ‘Sustainable Transport’**

5 Relevant Planning Policy Context

- **Policy T2 'Accessible Areas of Opportunity and Need'**
- Policy CC5 'Transport'
- **Policy DM1 'Development Management'**
- Policy EN1 'Design Principles and Strategic Character Areas'
- Policy EN3 'Heritage'
- Policy EN4 'Reducing CO2 Emissions By Enabling Low and Zero Carbon Development'
- Policy EN6 'Energy Infrastructure Opportunities'
- Policy EN9 'Green Infrastructure'
- Policy EN14 'Flood Risk'
- Policy EN15 'Biodiversity and Geological Conservation'
- Policy EN16 'Air Quality'
- Policy EN17 'Water Quality'
- Policy EN18 'Contaminated Land and Ground Stability'
- Policy EN19 'Waste'

Weight to be Afforded

- 5.11 § 33 of the NPPF and regulation 10A of the 2012 Local Plan England Regulations are clear that Local Plans should be reviewed to assess whether they need updating at least once every five years, and then should be updated as necessary. These reviews should take account of changing circumstances affecting the area and relevant changes in national policy.
- 5.12 The Core Strategy was subject to Examination in Public in November 2011 and was adopted July 2012 following receipt of the Inspectors Report in March 2012. It is based on pre-2012 evidence, including the 2010 Strategic Housing Land Availability Assessment (SHLAA) and

5 Relevant Planning Policy Context

South Manchester Strategic Regeneration Framework (SRF) (2007), and has not been updated in over 10 years.

5.13 § 218 states that the policies contained in the NPPF are material considerations which should be taken into account in dealing with applications from the day of its publication. It advises that Development Plans may need to be revised to reflect policy changes which the updated version of the NPPF has made. The Core Strategy was adopted in general compliance with the thrust of the NPPF (2012) and significant amendments have subsequently been made, predominantly in respect of the Housing Delivery Test. In line with § 219 due weight should be given to existing policies contained in the Core Strategy and 'saved' UDP commensurate to their degree of consistency with the NPPF. It is considered that the Core Strategy policies listed above can therefore be afforded a degree weight in the determination of planning applications.

5.14 Notwithstanding this, the Council's Five Year Housing Land Supply Statement (FYHLSS) (base date April 2022) identifies a Local Housing Need (LHN) requirement between the period 2022 to 2027, with an additional 5% buffer, of 19,436 in total over the five year period. This figure was calculated in line with § 74 of the NPPF as the adopted Core Strategy is over 5 years old (footnote 39). The FYHLSS at Table 2 has assessed the five-year supply position considering three different scenarios:

- a) Schemes in Annex 1 with full permission, outline permission for minor schemes.
- b) Schemes in Annex 1 with full permission, outline permission for minor schemes and with permission pending
- c) All schemes in Annex 1

5.15 Based on these positions the Council can demonstrate the following supply:

- a) 14,914 dwellings – **3.84 years**
- b) 19,698 dwellings – **5.07 years**

5 Relevant Planning Policy Context

c) 25,689 – **6.61 years**

- 5.16 In accordance with the definition of ‘deliverable’ within NPPF, the figure of 3.84 years is considered to be the appropriate supply figure which shows that the Council would fall short of the minimum five year supply of specific deliverable sites required by §74 of the NPPF. On this basis, §11(d) is engaged with policies which are most important for determining the application (including Core Strategy policies SP1, H1 and H6) considered to be out-of-date.

OTHER MATERIAL CONSIDERATIONS

- 5.17 In addition to the statutory development plan set out above, the following documents set out below are material considerations that should be taken into consideration by the Inspector in determining the Appeal:

National Planning Guidance

National Planning Policy Framework (July 2021)

- 5.18 The policies contained in the NPPF (2021) are material considerations which should be taken into account in making planning decisions. The presumption in favour of sustainable development established at § 11 of the NPPF is clear that for decisions making this means approving development proposals that accord with an up-to-date development plan without delay or 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:
- i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 5.19 NPPF Chapters of specific relevance to the Appeal include:
- Chapter 2 ‘Achieving Sustainable Development’

5 Relevant Planning Policy Context

- Chapter 4 'Decision-Making'
- Chapter 5 'Delivering a Sufficient Supply of Homes'
- Chapter 8 'Promoting Healthy and Safe Communities'
- Chapter 9 'Promoting Sustainable Transport'
- Chapter 11 'Making Efficient Use of Land'
- Chapter 12 'Achieving Well Designed Places'
- Chapter 14 'Meeting the Challenge of Climate Change, Flooding and Coastal Change'
- Chapter 15 'Conserving and Enhancing the Natural Environment'

Planning Practice Guidance (2014 as amended)

- 5.20 The Planning Practice Guidance (PPG) provides further guidance on NPPF policies and how these should be applied. It is a material consideration in the determination of applications.

National Design Guide (2021)

- 5.21 The National Design Guide (NDG) sets out the characteristics of well-designed places and demonstrates what good design means in practice. It forms part of the government's collection of planning practice guidance.

Emerging Planning Policy

Places for Everyone Submission Plan (August 2021)

- 5.22 The Places for Everyone Joint Development Plan Document (PfE) is a new long term plan for jobs, new homes and sustainable growth prepared by Greater Manchester Combined Authority (GMCA) on behalf of nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Upon adoption it will form part of the Development Plan for Manchester.

5 Relevant Planning Policy Context

- 5.23 A final period of public consultation was undertaken with regards to the Publication Draft PfE between 9th August 2021 and 3rd October 2021. The Plan was submitted to the Secretary of State for examination on 8th March 2022. Examination hearings are currently being undertaken. At the time of writing, it is considered that that the PfE holds some weight in the determination of planning applications within Greater Manchester. That said the draft Plan remains controversial and there remains pressure from some quarters (for example at the time of writing the MP for Bury) for its abandonment.
- 5.24 The emerging Plan has a strong focus on directing new housing towards previously developed sites within the existing urban area. The Vision of the plan also has a strong focus on carbon neutrality, supporting the creation of resilient, liveable places where walking and cycling are promoted, services are accessible and in close proximity and a dependency on car travel is superseded by a reliable and responsive public transport system.
- 5.25 The following draft PfE policies are of specific relevance to the Appeal:
- Policy JP-Strat 9 'Southern Areas'
 - Policy JP-S-1 'Sustainable Development'
 - Policy JP-S-2 'Carbon and Energy'
 - Policy JP-S-4 'Resilience'
 - Policy JP-H 1 'Scale, distribution and Phasing of New Housing Development'
 - Policy JP-H 2 'Affordability of New Housing'
 - Policy JP-H 3 'Type, Size and Design of New Housing'
 - Policy JP-H 4 'Density of New Housing'
 - Policy JP-C 1 'An Integrated Network'
 - Policy JP-C 7 'Transport'

5 Relevant Planning Policy Context

Weight to be Afforded

- 5.26 In accordance with §48 of the NPPF weight can be given to relevant policies in emerging plans according to:
- a) *“the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
 - b) *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
 - c) *the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”.*
- 5.27 In light of the fact the PfE is currently at Examination, it is considered that some weight can be afforded to the above emerging policies commensurate with the above clauses.

Strategic Regeneration Framework

South Manchester Strategic Regeneration Framework (2007)

- 5.28 The South Manchester Strategic Regeneration Framework (SRF) covers the site and was adopted in 2007, prior to the preparation of the Core Strategy and NPPF, with the intention of providing a clear direction to the area’s regeneration over the next 10-15 years up 2017-2022. The vision for South Manchester was for it to become *“the Living City, comprising successful, well managed neighbourhoods, a sustainable housing market, and attractive centres which support a full range of shops and community facilities. The Living City will be made up of strong, cohesive communities, which are well connected and have access to excellent educational and employment opportunities”.*
- 5.29 Whilst it was subject to a period of public consultation it was not subject to independent examination. On this basis, it can only be afforded very limited weight as policy in the determination of the Appeal.

5 Relevant Planning Policy Context

Other Local Strategies

Manchester Residential Quality Guidance (July 2016)

5.30 The Manchester Residential Quality Guidance (MRQG) was endorsed by Executive Committee in July 2016 following a period of public consultation and engagement with key stakeholders. The MRQG provides broad design guidance and is treated a material consideration by the Council. However, it is not a formal supplementary planning document and was prepared prior to policies contained in the National Design Guide and National Model Design Code.

5.31 §129 states that for design guides and codes, to carry weight in decision-making they need to be produced either as part of a plan or as supplementary planning documents. On this basis it is considered that it should be afforded limited weight in the decision making process.

Manchester Housing Strategy 2022–2032 (June 2022)

5.32 In June 2022, the Council published the Manchester Housing Strategy covering the period 2022-2032. A key ambition of the Strategy is to deliver 36,000 new homes by 2032, including 10,000 affordable homes (some 28% of total delivery). Of the 10,000 new affordable homes proposed by 2032, the Council is seeking to deliver 3,000 in the city centre with the remaining 7,000 outside the city centre, including in locations such as East Didsbury. Another key aspiration is to ensure that at least 80% of all homes built by 2032 are on brownfield sites close to public transport.

Residential Growth Strategy (March 2016)

5.33 The Council's Residential Growth Strategy seeks to provide the right mix of housing is needed to support growth, ensuring that the growing population can live and work in the city and enjoy a good quality of life. The Strategy establishes six housing growth priorities to meet the City's ambitions for sustainable growth. These include appropriate locations for development, type,

5 Relevant Planning Policy Context

quality and sustainability. Furthermore, the strategy has ambitions to deliver 25,000 homes over the next ten years from 2015 until 2025.

Our Manchester Strategy Reset: Forward to 2025 (March 2021)

- 5.34 Sets out the city's priorities to ensure Manchester can achieve its aim of being in the top-flight of world-class cities by 2025, with equality, inclusion and sustainability at its heart.
- 5.35 Other relevant local strategies which have informed the scheme proposals include the following:
- Draft Zero Carbon Framework 2020-2038 (February 2019);
 - Manchester City Council Climate Emergency Motion (10 July 2019);
 - Manchester Climate Change Framework 2020-25 (February 2020) and
 - Greater Manchester Transport Strategy 2040 (January 2021).
- 5.36 A full schedule of core documents is attached at **Appendix D**. The Appellant reserves the right to supplement this schedule as necessary.

6 Key Issues for Consideration

INTRODUCTION

- 6.1 The key issues for consideration at the Inquiry are included within the three reasons for refusal provided by the Council in its decision notice of 2nd August 2022. Each reason for refusal is addressed by the Appellant in turn below:

REASON FOR REFUSAL 1 – HIGH DENSITY RESIDENTIAL DEVELOPMENT AND HOUSING NEED

- 6.2 The Council's first reason for refusal states that the *"proposal is for a high density form of residential development outside of an identified district centre that does not address the housing needs of the area. As such the proposals do not accord with policies SP1, H1 and H6 of the adopted Manchester Core Strategy"*.

Housing Need

Manchester's Housing Target, Local Housing Need and Distribution

- 6.3 Core Strategy Policy H1 'Overall Housing Provision' identifies that 60,000 new dwellings will be provided between March 2009 and March 2027 which equates to an average of 3,333 dwellings per annum. Policy H6 states that South Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. As noted in the delivery strategy relating to Policy H6 this equates to the delivery of around 3,240 residential units between 2009-2027 broken down as 1,320 units (260 p.a.) 2011-2016, 950 units (190 p.a.) 2016-2021 and 510 (90 p.a.) between 2021-2027.
- 6.4 Given that the Core Strategy is over 5 years old, the Council's most recent FYHSS (2022) identifies a LHN of 19,436 dwellings over 5 years (inclusive of requisite 5% buffer) which equates to 3,887 p.a, an uplift of 554 dwellings p.a from the Core Strategy requirement.
- 6.5 Emerging PfE Policy JP-H1 'Scale, Distribution and Phasing of New Housing Development' establishes a minimum of 164,880 net additional dwellings will be delivered across Greater Manchester over the period 2021-37, or an annual average of around 10,305. Table 7.1

6 Key Issues for Consideration

apportions 3,533 dwellings p.a to Manchester, a 200 unit p.a uplift of the Core Strategy, equating to 56,528 dwellings of the Plan Period.

6.6 A key ambition of the Council's Housing Strategy is to deliver 36,000 new homes by 2032, including 10,000 affordable homes.

6.7 As noted above – based on the definition of deliverability within NPPF the Council cannot demonstrate a 5 year housing supply. As such, relevant housing policies within the Core Strategy are considered out of date in line with §11(d) and there is an urgent need to increase the supply of deliverable housing in the City. Even were that not to be the case – the optimum use of under-used previously developed land in an accessible location should be consented as an appropriate windfall site in any event.

Affordability of Housing

6.8 House prices in Didsbury and neighbouring areas, including Parrs Wood, are some of the highest in Manchester which makes affordability and the provision of affordable housing a key matter. Indeed, §4.58 of the emerging PfE notes in respect to sustaining southern competitiveness that (emphasis in bold):

*“the southern areas of Greater Manchester are typically characterised by high levels of demand and forecast growth, and include some of the city region's most popular neighbourhoods. Large parts of the south, extending into north Cheshire, have high house prices and relatively high household incomes, **but also significant issues of affordability**”*

6.9 Emerging PfE Policy JP-H 2 'Affordability of New Housing' is aiming to significantly increase the supply of new housing, in accordance with Policy JP-H 1 'Scale, Distribution and Phasing of New Housing Development'. The target is to deliver at least 50,000 additional affordable homes across Greater Manchester up to 2037, with at least 60% being for social rent or affordable rent. In terms of the type of new housing, it is anticipated over the Plan Period that

6 Key Issues for Consideration

Manchester will deliver 16% of its supply in the form of houses with the remaining 84% in the form of apartments.

- 6.10 A report to the Council's Executive in June 2020 (**Appendix E**) highlighted that in 2019/20, 480 new affordable homes were built, bringing the total delivered over the five year period to 1,514, equating to approximately 25% of the 6,400 to 2025 minimum target set out in the Residential Growth Strategy (2015-2025). According to the Council's Annual Monitoring Report in 2020/21 a further 461 additional affordable units were delivered taking the total to 1,975, a shortfall of 4,425 units against the overall target. Whilst site specific details have not been provided it is anticipated that the majority of affordable completions were within the city centre and not in locations such as Didsbury/ Parrs Wood. As such, there are clear issues of affordability and a need to deliver new affordable units/ rents across the City, and there is an acute and urgent need to address this issue.

Conclusion

- 6.11 It has been demonstrated that there are significant affordability issues in South Manchester and an urgent need to deliver both market and affordable housing including through Build to Rent ('BtR') schemes. The Council is unable to demonstrate a deliverable 5 year supply of housing and as such the presumption in favour of sustainable development is engaged. The proposals will deliver a high-quality BtR scheme that includes 75 apartments including 20% affordable rent provision that will contribute to the Council's housing land supply and ambitious affordable housing targets.

High Density Development

- 6.12 Core Strategy Policy SP1 sets out key spatial principles to guide strategic development in Manchester with an emphasis of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs. The policy promotes "*diverse housing around district centres which meet local needs*" (emphasis added) and aims to increase the

6 Key Issues for Consideration

availability of other tenures to meet identified needs of people wishing to move to or within Manchester and family housing. In addition, BtR can be viewed as ‘diverse housing’ as it is a unique tenure type that can meet an identified need for residents within Didsbury such as the rental market and affordable housing needs.

- 6.13 Policy H1 patently does not expressly preclude higher density developments outside of the areas identified but it only supports lower density schemes. However, the wording of H1 is flexible to some extent, it sets a broad target for new residential units, which is not a cap, and states that new housing will “*predominantly*” be within certain locations. The site does not fall within any of those preferred locations, however H1 does not preclude housing in South Manchester, nor does it set any cap on the provision of housing in any one location, or across Manchester as a whole. Further, it is notable that § 9.9 of the supporting text states that

“To ensure that people can access shops and other facilities by sustainable transport modes, development should be located on sites in close proximity to centres or public transport routes. ‘Close proximity’ in this context can be taken to mean within 300 metres of the centre boundary or a Metrolink stop, railway station or bus stop with a high frequency of services.”

- 6.14 It is of note that the Site is well located in terms of sustainable travel modes and is a “*locationally sustainable*” location in this sense. Importantly H1 has not been reviewed in the light of national guidance in NPPF §125 to seek to optimise densities in highly accessible locations.

- 6.15 Policy H6 states that in South Manchester (emphasis in bold):

*“High density development in South Manchester will generally only be appropriate within the district centres of Chorlton, **Didsbury**, Fallowfield, Levenshulme, and Withington, as part of mixed-use schemes. **Outside the district centres priorities will be for housing which meets identified shortfalls**, including family housing and provision that meets the needs of elderly people, **with schemes adding to the stock of affordable housing**”*

6 Key Issues for Consideration

- 6.16 This policy does not state that say that such proposals would only be appropriate in district centres, and were it to do so then it would be out of step with national policy which imposes no such restriction. Policy H6 does not stipulate that high density proposals outside district centres would be inappropriate or must be refused, and has not been reviewed in the light of up to date national policy, therefore were policy H6 to be considered to be breached that would temper the weight to be afforded to any such breach.
- 6.17 §108 of the NPPF states that in areas where there is an existing or anticipated shortage of land for meeting identified needs, then plans should “*include the use of minimum density standards for city and town centres, and other locations that are well served by public transport*”.
- 6.18 §120 (c and d) states that planning policies and decision should (emphasis in bold): “*promote and support the **development of underutilised land and buildings**, especially if it would help to **meet identified needs for housing where land supply is constrained**” and that “*substantial weight*” should be given to the value of using suitable brownfield land within settlements for homes.*
- 6.19 §125 (a and c) equally note that (emphasis in bold):
- “***where there is an existing or anticipated shortage of land for meeting identified housing needs**, it is especially important that planning policies and decisions **avoid homes being built at low densities**, and ensure that developments make **optimal use of the potential of each site**. In these circumstances:*
- a) plans should contain policies to **optimise the use of land in their area and meet as much of the identified need for housing as possible**. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should **seek a significant***

6 Key Issues for Consideration

*uplift in the average density of residential development within these areas, unless it can be shown that there are **strong reasons why this would be inappropriate**;*

*c) local planning authorities should **refuse applications which they consider fail to make efficient use of land**, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)."*

6.20 As noted within Section 5, the PfE which is currently under examination sets out a renewed focus and direction for residential development within Greater Manchester. As noted earlier in this Section, the Core Strategy is considered to be out-of-date and does not accord with the NPPF requirement to be reviewed within 5 years, therefore weight should be given to the draft policies within the PfE.

6.21 Draft Policy JP-H-4 'Density of New Housing' provides guidance on appropriate densities subject to the location of the development, as shown in table 6.1 below, which is reflective of the accessibility of the site based on walking, cycling and public transport infrastructure. Whilst this guidance does not form part of the adopted Development Plan it is currently subject of Examination and provides a useful 'direction of travel' in terms of the density of new housing.

Table 6.1 Extract from Draft PfE Policy JP-H 4 Density of New Housing

Location (use highest density that applies when a site falls within more than one location)	Minimum net residential density (dwellings per hectare)		
	Within the location	Within 400m	Within 800m
Designated centres:			
City Centre	200	120	70
Designated town centres	120	70	50
Other designated centres	70	50	35
Public transport stops:			

6 Key Issues for Consideration

Main rail stations and Metrolink stops in the City Centre	N/A	200	120
Other rail stations and Metrolink stops in large designated centres	N/A	120	70
Other rail stations with a frequent service and all other Metrolink stops	N/A	70	50
Leigh Guided Busway stops	N/A	50	35
Areas within GMAL 6 and above or its equivalent	50	35	35
All other locations: minimum net residential amenity of 35 dwellings per hectare.			

- 6.22 Using the draft PfE guidance above, the appropriate densities acceptable for the Site are set at a minimum level of 70 dwellings per hectare. The proposed development comprises 75 homes which equates to 312 dwellings per hectare. It is acknowledged that 312 dwellings per hectare is higher than the densities set out above, however this figure is not a ceiling and it is considered that the accessibility of the site, with East Didsbury train station to 200m to the south, Didsbury Metrolink stop 250m to the north east and three local bus stops, provides justification of the appropriateness of higher densities in this area.

Characteristics of a District Centre

- 6.23 The proposed development is located approximately 800m outside of the Didsbury District Centre, as identified on the Council's Planning Policy Map. The land uses in the vicinity of the proposal site are akin to a District Centre given the wide variety of uses nearby, which is a view consistent with previous applications for the Site in which it was accepted the proposal site as a sequentially preferable location.
- 6.24 The definition of District Centres should also be taken into account when reviewing the accordance of the proposed development to Policy H6. Core Strategy definition is as follows:

6 Key Issues for Consideration

“a retail and service centre, often containing at least one supermarket and a range of non-retail services such as banks, building societies and restaurants as well as local public facilities for example libraries and doctor’s surgeries”.

6.25 Table 2.1 of this Statement clearly illustrates that the site is located in close proximity to a wide range of local amenities and responds to each and every one of the above criteria. Therefore it is argued that the area operates in a manner which is akin to a district centre without necessarily being designated as one in policy.

6.26 Residents of the proposed development would have easy access to a wide range of local services, many within very easy walking distance.

6.27 Additionally, the supporting text for Core Strategy Policy H1, § 9.9 states that
“to ensure that people can access shops and other facilities by sustainable transport modes, development should be located on site in close proximity to centre or public transport routes. ‘Close proximity’ in this context can be taken to mean within 300m of the centre boundary or Metrolink stop, railway station or bus stop with high frequency services”

6.28 As previously noted, the proposed development is situated in a highly accessible area with a wide range of local, complementary land uses, that operates like a district centre. The nearest Metrolink stop located in East Didsbury, approximately 250m to the south-east of the Site, the closest Rail Station located within 200m and closest bus stops to the Site are located to the south across Parrs Wood Lane, circa 100m distance and adjacent to East Didsbury Rail station, circa 200m distance and to the east along Kingsway, circa 250m distance.

Conclusion

6.29 In conclusion, Policies SP1, H1 and H6 do not preclude development outside of district centres in South Manchester. National policy and the emerging PfE support the efficient use of previously developed land, especially areas within sustainable locations. The proposed density of the scheme is considered to be entirely appropriate having regard to the fact that it

6 Key Issues for Consideration

represents underutilised brownfield land, its highly accessible location and BtR model, indeed a scheme which did not use the site efficiently or seek to optimise density would be in tension with national planning policy – evidencing how out of step the approach of the Core Strategy is.

Appropriate Design Response to Context

- 6.30 It is strongly considered that the scale of the proposed development is appropriate for the site and will deliver a high quality addition to the townscape which uses previously development land in an appropriately efficient manner consistent with §125(c) of NPPF. Not to do so would warrant refusal under national policy.
- 6.31 Furthermore, density is a function of the internal division of the built form. Here the proposed apartments will be of an appropriate scale and will meet an identified need. It would be an odd outcome to use numerical density as a throttle upon otherwise appropriate development.
- 6.32 The design rationale and how the scheme responds to its context is clearly articulated in the Design and Access Statement prepared by Hodder + Partners in support of the planning application.
- 6.33 In the interest of objectivity, an independent design audit of the scheme was commissioned by the Appellant. This has been undertaken by Colin Pullan, Urban Design and Masterplanning Director at Lambert Smith Hampton, who has over 35 years' experience as an urban designer in the private sector, covering all design matters.
- 6.34 Mr Pullan finds that the site is within a sustainable location and is well located in relation to public transport. It is within an area characterised by a mix of residential and commercial development - the nearest residential development comprising apartment schemes - and adjacent to a local park. It is not within a conservation area or within the setting of heritage assets that may have a bearing on design decisions. It is an appropriate location for an urban,

6 Key Issues for Consideration

residential scheme at an appropriate density with a low number of car parking spaces and a focus on cycling and walking.

6.35 The scheme is considered to achieve the optimum and efficient use of this brownfield site having regard to the site features, constraints and opportunities. The building will positively contribute to place making. The scheme responds to the immediate context having regard to scale, height and massing, such that the general openness within the adjacent park would remain a prominent feature of the local context. The siting of the proposed building would repair the lost frontage to the park afforded the former bus depot, and the residential use compliment that across the park at Citipeak and Parrs Wood Court. The area has no defined architectural style and it is of merit that the scheme draws upon the industrial and transportation history of the surroundings. The form of the apartment block, which in addition to the overall height, proportion and treatment of base, middle and top, with interesting detailing and colour, lends a 'human scale' to the appearance.

6.36 Having undertaken an appraisal of the appeal scheme against the criteria set by the NPPF, the NDG and supporting local policy and guidance Mr Pullan concludes that the building would be of high quality. It is demonstrable that the design has been carefully considered with regard to the local context to ensure that this will result in a high quality scheme which will enhance the character and appearance of this area.

Conclusion

6.37 The proposed development will create 75 new apartments for rent and the provision of 20% affordable housing in the form of affordable private rent. A mixture of unit types has been proposed to diversify the housing offer within East Didsbury and create 'neighbourhoods of choice' including 5 - 1 bedroom (1 person) apartments, 20 - 1 bedroom (2 person) apartments, 40 - 2 bedroom (3 person) apartments and 10 - 3 bedroom (4 person) apartments. The Appellant considers the location of the development suitable for high density residential

6 Key Issues for Consideration

development given the excellent accessibility of the Site and the amount of alternative sustainable travel options to car travel.

6.38 Hodder + Partners have provided a clear rationale for the proposed scheme and its response to context in the submitted Design and Access. Furthermore, an independent design audit of the scheme has been undertaken against the criteria set by the NPPF, the NDG and supporting local policy and guidance. This audit concludes that the building would be of high quality.

6.39 Overall, it can be demonstrated that the proposed development accords with policies SP1, H1 and H6. This is irrespective of the fact that the Council cannot demonstrate a deliverable 5 year housing land supply and as such the presumption in favour of sustainable development is engaged under §11(d) of the NPPF.

6 Key Issues for Consideration

REASON FOR REFUSAL 2 – ON SITE CAR PARKING PROVISION

6.40 The Council's second reason for refusal states that:

"The proposals fail to provide an adequate level of on-site car parking to serve the proposed residential units contrary to policies DM1 and T2 of the adopted Manchester Core Strategy".

Multi-Modal Accessibility and Local Amenities

6.41 There is a clear focus on promoting sustainable transport networks and reducing the need for car travel across Manchester. This is reflected in policy and guidance at a national, regional and local level.

6.42 The proposed development is a highly accessible, previously developed site within the existing urban area of East Didsbury. The site affords excellent accessibility by pedestrians, cyclists, public transport and road to local day-to-day community facilities, services and amenities, as well as excellent linkages by sustainable modes to higher order commercial centres such as Manchester city centre. Moreover, the land uses in the vicinity of the site are akin to a District Centre given the wide variety of uses nearby. Residents of the proposed development would have access to a wide range of local services, many within very easy walking distance.

6.43 An updated version of the walking catchment plan that was appended to the TA has been produced by Curtins and reproduced at fig. 2.1 of this Statement, which shows walking distances and times from the site, based on suggested walking distances in the Chartered Institution of Highways and Transportation (CIHT) document entitled 'Providing for Journeys on Foot' (2000). This plan identifies the local amenities, facilities and services that are accessible within walking distance of the site. The analysis below focusses on destinations within a 5 and 10-minute walk (400m and 800m respectively) from the site.

6.44 The Tesco East Didsbury Superstore is located immediately adjacent to the site. This Superstore provides food shopping opportunities for residents, as well as clothing, a

6 Key Issues for Consideration

pharmacy, and a Costa Coffee café. The Tesco website highlights other popular services and counters at this Superstore, such as Tesco Mobile and MoneyGram services. The Superstore also caters for other day-to-day needs, such as gift cards, money and postal services (including an ATM), recycling facilities, and printing and cleaning services.

- 6.45 The walking catchment plan clearly shows the adjacency of the Superstore, less than a minutes' walk from the proposed development. Other amenities within a 5-minute walk of the site include health/medical facilities, a Post Office (with Amazon hub lockers), place of worship, and college. The Parrs Wood Entertainment Centre, with facilities including a cinema, bowling, restaurants, and a Starbucks Coffee store, is also within a 5-minute walk of the site. There are also a wide range of public transport opportunities within a 5-minute walk, comprising Parrs Wood Bus Interchange and various other bus stops, East Didsbury Transport Interchange (Metrolink stop), and East Didsbury rail station.
- 6.46 The plan shows additional facilities within a 10-minute walk of the site, comprising employment opportunities at Towers Business Park, a butchers, convenience store, sports facility, additional health/medical facility, and secondary schools.
- 6.47 This analysis has focussed on community facilities, services and amenities within a very easy walk of the site, in line with the principles of walkable neighbourhoods, where local facilities are generally located within a 10-minute walk (800m) of the site.
- 6.48 Notwithstanding, this a wider range of other employment, education, healthcare, shopping, religious, leisure, and sustainable transport facilities are available within walking distance of the site, but beyond a 10-minute walk, including East Didsbury high street at just over a 15-minute walk from the site. The full range of amenities, complete with walking distances and times relative to CIHT guidance up to the maximum acceptable walking distance of 2,000m (a 25-minute walk) are summarised in table 2.1 of this Statement and will be further expanded upon in Curtins evidence.

6 Key Issues for Consideration

- 6.49 This analysis clearly demonstrates that the site is situated in a highly sustainable location where future residents would be able to reach day-to-day destinations without the need to make use of a car.
- 6.50 An updated version of the cycling catchment plan that was appended to the Transport Assessment has also been prepared, and reproduced at fig. 2.2 of this Statement. This catchment plan focusses on destinations local to the site within a 5 and 10-minute cycle (1.6km and 3.2km respectively). This catchment plan demonstrates that Didsbury (including East and West Didsbury), Heaton Mersey, Withington, and parts of Burnage, Cheadle, and Gatley, which offer a wide range of additional facilities and services, are within an easy cycle distance and highly accessible from the site by bike and would not require the use of a car.

Parking Demand

Trends for Car Ownership

- 6.51 As referenced within the Transport Assessment prepared by Curtins, the Appellant has undertaken extensive market research for the proposed development, which has shown that within a 3km radius of the site, there are c. 11,947 car-free households as shown in the 2011 Census. This shows that living in this area without a car is a feasible and desirable lifestyle for a significant segment of the existing population living nearby.
- 6.52 The reduction in car ownership and use, is reflected in the 'All Change' report prepared by the Commission on Travel Demand (2018). This report states that: "*Younger people, and in particular younger males, are far less likely to have a driving license and to subsequently drive less than previous generations*". The report cites factors that contribute to such trends in youth travel, which include the decline in home ownership and re-urbanisation, and substituting face-to-face interaction with digital communication, amongst others. This reinforces the lower car ownership potential of prospective occupiers.

6 Key Issues for Consideration

- 6.53 In March 2019, DfT released a document titled 'Future of Mobility: Urban Strategy', which describes a strategy comprising various modes of transport along with information and payment functions into a single mobility service. An example of such services includes those that allow customers to purchase monthly subscription packages giving them access to public transport and private taxi and bike hire schemes. The integration of these options is defined as Mobility as a Service (MaaS).
- 6.54 The document included a study from the Carplus Annual Survey of Car Clubs, indicating that the number of car club members across the UK increased almost eight-fold between 2007 and 2017, from 32,000 to 245,000 members. Whilst around three quarters of this growth occurred in London, there is also growth in many parts of the UK.
- 6.55 The document also identifies changes in demand for transport, stating that travel demand is rising overall (driven by population growth), but falling at an individual level (people are travelling less per person now than one or two decades ago). Reasons behind reduced individual travel include a decline in commuting for employment due to the increase in flexible working, working from home, part-time, and self-employment, and a rise in online shopping.
- 6.56 It also concludes that the UK population is ageing and travel choices show clear generational differences, where the 65+ population is projected to grow by around 50% in both rural and urban areas between 2016 and 2039, whereas the younger population is only projected to grow by 8% in urban areas. Older people are driving more, however younger people are less likely to own cars due to factors such as staying in education for longer, moving into long-term employment and starting families later, the increasing cost of driving as well as increased sensitivity to the environmental impacts of driving.
- 6.57 The above factors and travel trends lead to shared mobility and MaaS becoming more prevalent, enabled by the proliferation of digital platforms and models based on shared use or ownership of vehicles, and a shift towards a sharing economy, which provides an opportunity to improve urban mobility dramatically.

6 Key Issues for Consideration

Existing Parking Opportunities

- 6.58 As noted within the Transport Assessment prepared by Curtins and further expanded upon in their evidence, there are limited opportunities for off-site parking in the surrounding area, assessed as within a 400m walking distance from the site.
- 6.59 The walking catchment comprises mostly the A34 Kingsway and A5145 Parrs Wood Lane routes, which are subject to double yellow line parking restrictions, which restrict on-street parking within this area. The same is the case on the B5095 Wilmslow Road, which is also located within the walking catchment.
- 6.60 The walking catchment also includes Parrs Wood Avenue to the west, Parrs Wood Road to the north and south of its junction with the A5145 Wilmslow Road, and an unnamed road leading towards East Didsbury rail station where the following characteristics are noted:
- **Parrs Wood Avenue** – No parking restrictions, but the carriageway is narrow at c. 4.5m. All houses along the road have private driveways, but the road is already used for on-street parking along one side of the carriageway;
 - **Parrs Wood Road (north of A5145)** – No parking restrictions, but there are advisory cycle lanes on both side of the carriageway. The road is still utilised for on-street parking on both sides of the carriageway, to the detriment of cyclists;
 - **Parrs Wood Road (south of A5145)** – No parking restrictions, but the carriageway is wide at c. 12m, and there are also bus stops along the road. All houses along the road have private driveways, but the road is also utilised for on-street parking on both sides of the carriageway; and
 - **Unnamed Road (leading towards East Didsbury rail station)** – No parking restrictions along the west side of the road, with double yellow line parking restrictions along the east side of the road. The carriageway is narrow at c. 5m and the road is

6 Key Issues for Consideration

already used for on-street parking along the west side of the carriageway, most likely by commuters.

- 6.61 Whilst on-street parking occurs on these streets, site observations showed that there was limited spare capacity within easy walking distance of the site. Moreover, off-site parking away from the development would be highly undesirable for residents from a convenience and security perspective, as residents/ visitors would have to walk up to 5 minutes to access their vehicle, which would be parked out-of-sight in locations some distance from the proposed development.
- 6.62 The security aspect of on-street parking is supported by the Manual for Streets 2, which notes that one of the negative effects of on-street car parking is that cars parked on-street can be more vulnerable to opportunistic crime than off-street spaces. This would be a deterrent for residents/visitors of the proposed development.

Parking Surveys

- 6.63 On-street parking by residents and visitors of the proposed development is profoundly unlikely to occur. Curtins evidence will demonstrate that the proposed supply of parking will be sufficient to meet the likely on site demand, and any on-street parking would be both inconvenient and insecure.
- 6.64 As illustrated in Curtins' evidence, additional parking surveys were nonetheless undertaken on surrounding residential streets on Friday 4th November and Saturday 5th November 2022 between the hours of 06:00 and 22:00 at hourly intervals. It is noted that no COVID-19 restrictions or road works on the adjacent highway network were in place at the time of the survey.
- 6.65 The majority of the roads in this study area are subject to single yellow (no waiting between specified times) and double yellow parking restrictions (no waiting at any time) and are therefore not available for daily parking by residents. The main streets where on-street parking

6 Key Issues for Consideration

could occur would be Parrs Wood Avenue, Parrs Wood Road, and the unnamed street leading towards East Didsbury rail station. The findings are summarised below.

Parrs Wood Avenue

- 6.66 Along Parrs Wood Avenue, there are single yellow parking restrictions (no waiting between 08:00 – 18:00 on Mondays to Fridays, and between 08:00 – 12:30 on Saturdays), therefore the maximum capacity varies between 106 spaces (off-peak / outside the hours of parking restrictions) and 98 spaces (peak hours / during the hours of parking restrictions).
- 6.67 It was observed that on-street parking does not reach capacity nor exceed a maximum level of 27% on the weekday and 23% on the weekend.

Parrs Wood Road

- 6.68 Along Parrs Wood Road, there are single yellow parking restrictions (no waiting between 09:00 – 16:00 on Mondays to Fridays at the section near the Ruabon Road junction, and no waiting between 08:00 – 09:30 and 16:00 – 18:30 at the section near the Parrs Wood Lane junction), therefore the maximum capacity varies between 87 spaces and 54 spaces during the off- / on-peak hours.
- 6.69 On the Friday, it can be observed that Parrs Wood Road is generally well-utilised for on-street parking, exceeding capacity during 14:00 – 15:00 on the weekday, however parking does not reach nor exceed maximum capacity on the weekend.

Unnamed Road

- 6.70 Along the unnamed street leading towards East Didsbury rail station, there are no single yellow parking restrictions along the road, therefore the maximum capacity remains the same at 29 spaces across all hours. It can be observed that on-street parking does not reach capacity nor exceed a maximum level of 55% on the weekday and 69% on the weekend.
- 6.71 The survey results demonstrate that for the few future residents who may choose to retain their care that there is some on-street parking capacity on local streets. As noted above, if on-

6 Key Issues for Consideration

street parking were to occur, it would be very unlikely that visitors would park in the same location at the same time, therefore any impacts on residential amenity would be minimal, and not significant or severe.

Proposed Parking Arrangement

- 6.72 The development proposes 36 no. car parking spaces equating to a 48% provision of parking, an increase on the initially proposed level of car parking in order to take account of comments raised by Ward Members and during public consultation. The parking provision comprises 31 standard bays, 2 accessible bays, 1 car club bay and 2 visitor spaces to serve the proposed residential development. The majority of the car parking would be sited on the ground floor of the building (24 spaces) with the remainder including the visitor and car club space being located externally to the building.
- 6.73 The proposed development will include 1 car club parking space that will be for the use of the residents of the development as well as the wider community.
- 6.74 It is widely acknowledged that the inclusion of a car club parking space within residential developments will encourage the reduction in car ownership. As such, the Appellant intends to enter into a partnership with Enterprise for the delivery of the car club space. This partnership will ensure that residents of the development access to 12 month free membership of the car club space to promote the use of the scheme rather than the use of private car.

Parking Management

- 6.75 The Appellant is committed to ensuring that the on-site car parking provision is limited to those who are able to justify their need for a private car parking space on an ongoing basis such as those with mobility issues or shift workers. The parking will be well managed and subject to a parking plan (presumed to be conditioned) in order to reduce any possible residual concerns raised by MCC Highways.

6 Key Issues for Consideration

6.76 Prior to the occupation of the development, the following measures will be implemented:

- All residents will be made aware of the Travel Plan, the aims and objectives, and the measures and initiatives contained within it, and communications would be aimed at dissuading car ownership and use, thereby encouraging those that do move in with a vehicle to consider alternative modes of transport;
- All future residents (regardless of whether they are allocated a parking space or not) will be made aware of the parking arrangements as part of their tenancy agreement. These are summarised as follows:
 - Parking spaces within the site would be allocated on a needs basis (i.e. disabled users) and then on a first come, first served basis, for residents moving into the scheme who own a car, and priced with a view to providing time for some residents to divest themselves of their vehicles;
 - Spaces would be leased for a fixed term of 6 months and then on a rolling monthly basis. This would encourage a move away from the use of the private car and gives the flexibility for residents to move into the development with a car to then give up their space when their lifestyle has adapted to location and mobility options;
 - The pricing of the leased parking is intended to act as a significant disincentive to retaining a space if a vehicle is not being used regularly; and
 - If all of the parking spaces are taken up (which is very unlikely based on other developments operated by the Appellant), a waiting list for spaces would be drawn up.

6.77 During the operation of the development, the following measures will be enforced:

- Ownership and control of the car park will remain with the Appellant;
- Resident will be able to contact building management 24 hours per day to report any misuse (i.e. unauthorised) car parking and other community matters;

6 Key Issues for Consideration

- Dandara Living will operate a permit-based system, as outlined above;
- All permit holders will be required to display their allocated permit within their vehicle, on the front windscreen (as seen from the inside) at all times; and
- Dandara Living will support Tesco in enforcing the car parking restrictions to prevent the abuse of car parking spaces within the site and adjacent supermarket car park.

The Tesco Superstore already issues £70 parking fines for unauthorised use.

6.78 As Curtin's note in their evidence, the restriction of car parking is the ultimate demand management measure. Demand for car parking spaces would be managed from the outset by encouraging residents and visitors to travel by sustainable modes. This would be implemented via a robust Travel Plan at the site. The Travel Plan would highlight the health, environmental, financial and social benefits of travelling by active and sustainable modes of transport, and include measures and initiatives to increase travel to the site on foot, by cycle, and by public transport.

6.79 This is supported by the conclusions reached by Planning Inspectors and the Secretary of State on a number of recent decisions regarding planning applications for new residential development as follows:

APP/L5240/V/17/3174139 - Land at Purley Baptist Church, 1 Russell Hill Road, 1-4 Russell Hill Parade, 2-12 Brighton Road, Purley Hall and 1-9 Banstead Road, Purley

6.80 This Secretary of State Decision granted planning permission on 9 July 2020 for proposals comprising the demolition of existing buildings on two sites and erection of a 3 to 17 storey development on the 'Island Site' comprising 114 residential units, community and church space and a retail unit; and a 3 to 8 storey development on the 'South Site' comprising 106 residential units and any associated landscaping and works.

6 Key Issues for Consideration

- 6.81 It was demonstrated that the site has a high Public Transport Accessibility Level (PTAL 5), comparable in accessibility terms to the Appeal Site albeit covering a different geographic area. As such, 28 parking spaces were proposed across 220 units (13% provision).
- 6.82 The Inspector considered that the proposed parking provision (equating to 0.13 spaces per unit) was in accordance with development plan policies that support a low level of on-site car parking or car free-free development in areas with a high PTAL. The Secretary of State considered this level of provision would conflict with the Direction issued to the Mayor on 13 March in respect of the emerging New London Plan, which would require the development to be car free, . Nevertheless, given compliance with adopted development plan policies, overall the Secretary of State considered this relatively small breach against emerging policy should carry only limited weight against the proposal.

APP/R5510/W/19/3230503 - Stanford House, 9 Nestles Avenue, Hayes, UB3 4SA

- 6.83 This Appeal decision, dated, 26 March 2020, related to the demolition of an existing building and redevelopment to provide a building up to ten storeys, with 868 square metres of commercial or community space (Use Class B1 or D1) at ground and first floor level and 81 (44 x one bed, 28 x 2 bed and 9 x 3 bed) residential units to the upper floors with associated landscaping, access, car parking and cycle parking. The proposed development comprised 4 fully accessible car parking spaces (3 for residential occupiers and 1 for the commercial / community floorspace) which equated to a 4% provision.
- 6.84 Whilst the appeal was dismissed on other grounds relating to heritage significance, scale / massing / design of the development, there was no objection to the low parking provision onsite. The following excerpts regarding parking provision taken from §62 of the decision are shown below (emphasis in bold):

“The LIP3 also confirms that car-free development facilitates behaviour change for residents from the onset of occupying a dwelling in an area that has limited or no parking. I agree with

6 Key Issues for Consideration

*the sentiments of a colleague Inspector drawn to my attention in this regard, endorsed by the Secretary of State, that **'Policy is geared towards persuading people to switch from private cars to public transport in order to try and reduce traffic. One of the best ways of achieving this is to limit parking provisions and one of the best opportunities to persuade people to alter this aspect of their life-styles is when they move home. While not a perfect solution, it follows that providing new residential accommodation with little or no parking at this highly accessible location is likely to help achieve that end...'** I recognise that that relates to a different local authority area, but I see no reason why the sentiments would not hold true here."*

APP/L5240/V/17/3174139 - Morrisons, 43-67 High Street, Yiewsley, West Drayton UB7 7QQ

- 6.85 This Appeal related to the demolition of existing buildings and the redevelopment of the site to provide a part 4 to part 8 storey building comprising a replacement Class A1 1,643sq.m (GIA) food store, 144 residential units, basement car parking and associated works without complying with conditions attached to planning permission Ref 2370/APP/2018/2793, dated 21 August 2019. The conditions contested by the appellant related to the change of car parking numbers, where the original planning permission provided for 101 residential parking spaces including 14 accessible spaces (70% provision), 23 on-site spaces including 4 accessible spaces were now proposed (16% provision). The appeal was allowed and planning permission was granted subject to conditions with the Inspector concluding at §19 and 42 that (emphasis in bold):

*"19 Overall, I find the case that reducing levels of parking encourages reduced vehicle trips and a mode shift to walking, cycling and public transport to be compelling. With regard to the submitted evidence, I have no doubt that current levels of vehicle ownership and use in the area around the site are, at least in part, a factor of the historic availability of parking. It seems to me that providing similar levels of parking in future would **perpetuate the ownership and use of private vehicles contrary to wider policy objectives** noted above."*

6 Key Issues for Consideration

*42 Drawing matters together, I find with particular regard to the accessibility of the site that **occupiers would be able to access necessary services by non-car modes**. Opportunities for occupiers to park freely at all times would be very limited, **acting as a significant disincentive to vehicle ownership and use**, and encouraging instead a **modal shift towards walking, cycling and public transport use**. Even if some overspill parking did occur, albeit that I consider this would be fairly limited, the evidence does not demonstrate that this would cause unacceptable harm.”*

Resident Demographic Profile

- 6.86 The majority of the apartments within the proposed development will be 1 and 2-bedroom apartments, which together comprise circa 87% of the total development. The remaining circa 13% will be 3-bedroom apartments. The smaller 1 and 2-bedroom apartments would provide lower levels of residential occupancy and would be less likely to appeal to families with higher levels of car ownership.
- 6.87 The lower car ownership of younger occupiers is also reflected in the Greater Manchester Transport Strategy: 2040, which states at page 47 that *“attitudes to owning and using a car are also evolving. Many younger people no longer see car ownership, or indeed a driving licence, as essential.”* The provision of an on-site Car Club space would further reduce the need to own a car and promote travel by sustainable modes.
- 6.88 The Appellant operates various BtR schemes across Greater Manchester and other town and city locations throughout the UK. Their research has shown that whilst their developments meet a broad age range, the average age of the occupants is 27 years old, with approximately one third moving in from other parts of the city in which the development is situated. This suggests that the occupants of the proposed development would be predominately young, local residents. This profile of residents is also likely to have materially lower car ownership compared with other groups, such as families in a more suburban setting.

6 Key Issues for Consideration

6.89 This is further evidenced in the 2011 Census dataset 'DC4109EWIa' titled 'Car or van availability by sex by age', which suggests that across the Manchester merged local authority area, an average of 41% of people aged 20 to 29 do not have cars or vans in their households. In comparison, for people aged 30 to 49, the average number of people with no cars or vans in their household is lower at 32%.

6.90 The Appellant operates BtR schemes in similar locations to the proposed development and the proposed level of car parking provision would suit the profile of typical BtR residents as young, low car ownership occupiers.

Minimum Car Parking Standard for Residential Development

6.91 The second Reason for Refusal refers to two Core Strategy policies, Policy DM1 and Policy T2, neither of which set minimum parking standards for residential development.

6.92 Policy DM1 notes that all development should have regard for vehicular access and car parking but does not provide any specific standards, only noting that further detail may be set out within an SPD. There are no adopted SPD's that state the level of car parking provision that should be provided for residential development.

6.93 Policy T2 notes that all development should make "*appropriate*" car parking provision and comply with the car parking standards set out within Appendix B. The standards in Appendix B are noted as maximums, there are no minimum standards set out within the Core Strategy and standards for residential use are not stated.

6.94 As there are no minimum car parking standards for residential development within the adopted Development Plan, the level of car parking is reviewed on a case by case basis, dependent on the location of the site and the accessibility to sustainable travel modes.

6.95 The Planning Committee Report also notes that the MRQG is of relevance to the proposed development.

6 Key Issues for Consideration

6.96 As referenced earlier in this Statement it is considered that the MRQG is not a statutory document and therefore holds limited weight in the consideration of planning applications. However, it is considered that the guidance set out for residential parking within this document has been justified by the design of the proposed development.

6.97 For car parking in residential developments outside the city centre, the Residential Quality Guidance outlines recommended parking standards for new apartment developments as 100% provision as a starting point. The subsequent paragraph then states circumstances (discussed further below) where reduced on-site provision (i.e. below 100%) can be justified. The guidance also provides circumstances where reduced car parking can be acceptable, including:

i. *“Secure cycle parking in excess of 50% provision relative to apartment numbers.”*

6.98 A total of 75 apartments are proposed with 100% secure cycle parking provision for residents (75 spaces) and an additional 16% provision for visitors (12 spaces). This level of cycle parking provision significantly exceeds the 50% provision quoted;

ii. *“Demonstrating that provision of full parking provision will unacceptably comprise the development’s active frontages and relationship with the street, and evidence that alternative parking solutions cannot be viably accommodated.”*

6.99 The provision of full car parking (i.e. 100% provision) at the site would require additional space at ground floor level, which would remove other uses and activity at ground floor level, including the flexible community use. The ground floor is mostly required for plant, refuse store, cycle store, cores, and parking, all of which are required to remain to service the building. The provision of 100% car parking would also likely require a multi-level parking solution. The proposed development has already been reduced in scale by one floor following public consultation, therefore a further reduction in the number of apartments to accommodate additional car parking, either in an additional level above ground floor or within a basement

6 Key Issues for Consideration

level, would render the scheme commercially challenging for the Appellant. Moreover it would run counter to fundamental principles of national policy to encourage homeowners to reduce the use of private vehicles.

- iii. *“Provision of robust research and market evidence to demonstrate that lower levels of car parking demand will be appropriate for a particular scheme.”*

6.100 This point is addressed throughout this statement, which set out the profile of residential occupiers at BtR schemes. This concludes that the proposed level of car parking is suitable for typical residents of BtR schemes.

Pre-Application Consultation – MCC Highways Services

6.101 Initial pre-application discussions with MCC Highways were undertaken in September 2021. As referenced in the Transport Assessment prepared by Curtins, MCC Highways were supportive of the provision of 45% on-site car parking provision for residents stating that:

*“Highways agrees that parking opportunities within the surrounding walking catchment (400m) is limited due to TROs, existing on-street parking and road widths. Highways would expect to see evidence that the development would not negatively impact the surrounding highway network and cause additional on-street parking within an already saturated area. **The development proposes 40 car parking spaces (45% parking provision). This provision is acceptable.**”*

6.102 The scheme initially presented to MCC Highways included 88 apartments with 40 car parking spaces equating to 45% provision. Despite, the number of residential apartments reducing following further design development, 45% provision was deemed acceptable. The current (revised) proposals provide an increased provision of parking of 48%.

6.103 To provide a greater understanding of the advice provided by MCC Highways , the following table sets out a chronology of advice received throughout pre-application consultation and the determination of the planning application.

6 Key Issues for Consideration

Table 6.2 Chronology of MCC Highways Consultation Engagement

Date	Summary of Response
13/09/2021	Transport Scoping Report (Curtins report ref. 76118-CUR-00-XX-RP-TP-003-V02) submitted to MCC Highways and TfGM. This report included details of the development proposals and the level of car parking provision proposed at the site. At this time, the level of car parking provision proposed at the site was 40 spaces (45% based on 88 apartments).
06/10/2021	Formal response from MCC Highways included the following statement: <i>“The development proposes 40 car parking spaces (45% parking provision). This provision is acceptable.”</i>
29/11/2021	A public consultation webinar was hosted by Dandara. At this time, the level of car parking provision proposed at the site was 27 spaces (28% based on 95 apartments).
03/12/2021	Meeting with MCC Highways to discuss the latest version of the scheme that was at public consultation on 29/11/2021. MCC Highways agreed to review the latest parking proposals following the meeting.
08/12/2021	Email sent to MCC Highways requesting a formal response to the latest car parking provision. The reply from MCC Highways on 09/12/2021 stated: <i>“We are in the process of discussing this with the planners and hope to have a response from them next week”</i> .
12/04/2022	Meeting with MCC Highways and TfGM to discuss the latest version of the scheme, including adjustments made following the public consultation event. At this time, the level of car parking provision proposed at the site was 33 spaces (44% based on 75 apartments). It was noted by MCC Highways that the parking was “about right” which was consistent with earlier advice on 06/10/2022.
19/04/2022	Summary of road safety review and parking issued to MCC Highways for comment ahead of the planning application. The parking section reviewed existing parking use, proposed parking provision (44%), and car park management.
21/04/2022	Email from MCC Highways received on 21 April 2022 stating: <i>“Having discussed further the on-site parking requirements, we will need 100% provision for this site.”</i> This request was unsubstantiated with no commentary or justification provided. It also contradicts the earlier acceptance of 45% provision.

6 Key Issues for Consideration

11/05/2022	The planning application was submitted with the Transport Assessment Report (Curtins report ref. 076118-CUR-XX-XX-T-TP-00004-P04) based on a development proposal with 75 apartments and 36 car parking spaces (48% provision). This level of provision exceeds the earlier agreement with MCC Highways.
08/07/2022	Email from the case officer received on 8 July 2022 noting that the level of parking is substantially below the 100% parking provision MCC Highways would expect in this location. MCC Highways cited the existing parking pressures in the surrounding area, noting significant concerns that any shortfall in parking will result in development related parking taking place on surrounding residential road that are in their view heavily congested in parking terms. As such, MCC Highways noted that they cannot support the application in its current form.

6.104 As shown in the table, MCC Highways were initially supportive of 45% car parking provision presented as part of Curtins scoping correspondence. It is difficult to understand the reasons for the volte-face on the part of the Council which does not appear to have been based upon any new evidence.

Comparable Parking Provision Precedents

Didsbury

6.105 Similar residential development in comparably accessible areas within Didsbury have been reviewed to determine the level of car parking proposed / consented which can set a precedent for the proposed development, these have been summarised in Table 6.3 as follows:

Table 6.3 Comparable Parking Provision in Didsbury

Name	Reference	Number of dwellings	Car Parking Spaces	Parking Ratio
494 Wilmslow	105514/FO/2014/S1	25	0	0
Road	107434/FO/2014/S1			

6 Key Issues for Consideration

Former Stagecoach Site Moss Side (Rowlinson)	113982/FO/2016	92	74	0.8
Didsbury Point	135235/FO/2022	76	35	0.46

Didsbury Point (ref. 135235/FO/2022)

- 6.106 The above application has recently been submitted to the Council for residential development with associated car parking for 35 resident spaces equating to 46% provision.
- 6.107 The lower provision of car parking was set following surveys of the surrounding streets and the conclusion that these do not reach capacity, even at peak times. Additionally, the target market for the residential development was taken into account when assessing the likely car ownership and car parking provision.
- 6.108 The development also includes membership to a conveniently located Car Club space managed by Enterprise.
- 6.109 It should be noted that this application is awaiting determination, however MCC Highways have provided their support for the level of parking provision within pre-application engagement.

494 Wilmslow Road, Manchester (ref. APP/B4215/W/15/3136755)

- 6.110 The above appeal considered the impact of the residential development in relation to pressure for parking on surrounding streets and the harm to highway safety and living conditions of local residents.
- 6.111 The Inspector noted at §19 that it would be *“wrong to presume that the proposed development would automatically result in increased car ownership and visitor traffic to the area”*. Similarly to 494 Wilmslow Road, the development site is located in a highly accessible area which is particularly well served by frequent bus, train and Metrolink services. The Inspector

6 Key Issues for Consideration

considered that under these circumstances it was a “*reasonable assumption*” (§19) that a high percentage of the future residents of the development would walk, cycle or use the proximate sustainable travel services to access work or home.

6.112 Additionally, the Inspector weighed in the balance that the target market of young professionals would likely be attracted to the sustainable location of the proposed development and that the provision of cycle parking spaces and a car club parking space for the residents would reduce the need for car ownership.

6.113 As shown through the evidence above, there have been precedents within Didsbury for lower levels of car parking provision following the adoption of the Core Strategy in 2012. The developments reviewed have good accessibility to public transports infrastructure and a GMAL rating of 5 or above and have all provided a lower level of car parking provision than the 100%.

6.114 Other examples of similar BTR schemes to the proposed development, in terms of the level of car parking proposed and with similar multi-modal accessibility and locational characteristics/amenities, are included in Curtins’ evidence. This demonstrates that the provision of parking at Tesco Parrs Wood for nearly 50% of the apartments is at the upper end of the range typically provided at BTR schemes in Greater Manchester.

Encouraging Sustainable Travel Modes

6.115 Core Strategy policy T1 aims to encourage a shift from car travel to public transport, cycling, and walking, to support the needs of residents. The Council notes support for developments that will improve the choice by developing alternatives to car travel as well as facilitating modes of transport that reduce carbon emissions such as Electric Vehicle Charging Points.

6.116 As previously noted, the Site is situated in a highly accessible area with a range of sustainable travel modes within close proximity, providing justification for the development including less than 100% car parking provision. The nearest Metrolink stop located in East Didsbury,

6 Key Issues for Consideration

approximately 250m to the south-east of the Site, the closest Rail Station located within 200m and closest bus stops to the Site are located to the south across Parrs Wood Lane, circa 100m distance and adjacent to East Didsbury Rail station, circa 200m distance and to the east along Kingsway, circa 250m distance.

- 6.117 Additionally, the BtR nature of the development and the target market, lends itself to providing a lower provision of car parking. Further evidence of this has been provided in respect of comparable developments within South Manchester.
- 6.118 There is a clear commitment from the Council to meet climate change targets and become zero carbon by 2038, as set out in Manchester Zero Carbon Framework approved by the Council's Executive Committee in March 2020. This stance by the Council aids in justifying less than 100% car parking provision included within the proposed development.
- 6.119 Areas for action in the Framework include improving the energy efficiency of local homes; generating more renewable energy to power buildings; creating well-connected cycling and walking routes, public transport networks and electric vehicle charging infrastructure; plus the development of a 'circular economy', in which sustainable and renewable materials are reused and recycled as much as possible.
- 6.120 There is a shift towards a focus on promoting sustainable transport networks and reducing the need for car travel across Manchester.
- 6.121 As referenced in Section 5 of this statement, Places for Everyone is a new long term plan for jobs, new homes and sustainable growth prepared by GMCA on behalf of nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Upon adoption it will form part of the Development Plan for Manchester.
- 6.122 The focus on promoting sustainable transport networks and supporting residential development in areas of excellent accessibility are demonstrated through the draft transport and highways related policies set out within the Plan.

6 Key Issues for Consideration

- 6.123 Policy JP-C 1 'An Integrated Network' aims to deliver an accessible, low carbon Greater Manchester by locating and designing development to deliver a significant increase in the proportion of trips that can be made by walking, cycling and public transport.
- 6.124 Policy JP-C 7 'Transport' requires new development to be located and designed to enable and encourage walking, cycling and public transport use, reducing the negative effects of car dependency and help deliver high quality and sustainable environments.
- 6.125 The policy aims to increase the connectivity and permeability of developments by:
- Prioritising safe and convenient access to the site and buildings for all users;
 - Ensuring that new developments are planned and constructed with walking and cycling as the primary means of local access, and fully integrated into the existing walking and cycling infrastructure;
 - Ensuring that new development is connected visually and physically; within the site and to the surrounding built environment;
 - Ensuring appropriate connectivity to the existing highway network; and
 - Reducing the need to travel by ensuring that community facilities, services and amenities are provided within the site or within walking distance of new development.
- 6.126 In terms of parking infrastructure, developments should ensure that parking provision is well integrated and unobtrusive and where appropriate parking provision should be flexible and be adapted over time to reflect demand.
- 6.127 Cycle parking provision should be included in the form of secure and covered storage to meet long term demand from occupiers and visitors.
- 6.128 Promoting alternatives to car ownership will also be supported, such as the use of ULEV car clubs rather than the provision of private car parking spaces.

6 Key Issues for Consideration

Summary and Conclusion

- 6.129 The Appellant's evidence has demonstrated that the Site is situated within a highly accessible area, with a number of complementary uses and amenities within walking and cycling distance.
- 6.130 The Site is well located to take advantage of the excellent existing public transport infrastructure, including bus, train and Metrolink in addition to walking and cycling opportunities, which would provide viable alternatives to travel by car.
- 6.131 The proposed level of car parking is appropriate and sufficient to meet the expected level of demand, and it has been demonstrated why there is less need to own a car in this location. It has also been demonstrated how the on-site car parking is proposed at a sustainable level for the type of development and the typical profile of occupiers, based on the accessibility of the site and supported by demand management measures and car park management.
- 6.132 On-street parking by residents and visitors of the proposed development is profoundly unlikely to occur. If some on-street parking were to occur, any impacts on residential amenity would be minimal, and not significant or severe.
- 6.133 Overall, it is concluded that the site is situated within a highly accessible area, with a number of complementary uses and amenities within walking and cycling distance. The site is therefore well located to take advantage of the excellent existing public transport infrastructure, including bus, train and Metrolink in addition to walking and cycling opportunities.

6 Key Issues for Consideration

REASON FOR REFUSAL 3 – IMPACT TO CONGESTION ON HIGHWAY NETWORK

6.134 The Council's third reason for refusal suggests that:

"The applicant has failed to demonstrate that the proposed development would not give rise to unacceptable impacts to congestion on the highway network contrary to policy T1 of the adopted Manchester Core Strategy".

Policy Context

6.135 Core Strategy Policy T1 advises that the Council will support proposals which *"would reduce the negative impacts of road traffic, for example, congestion, air pollution and road accident casualties"*.

6.136 §111 of the NPPF states that (emphasis in bold):

*"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network **would be severe.**"*

6.137 The policy test to make development acceptable is whether the impacts are 'severe' and not 'unacceptable impacts' as referred to in RfR3. The submitted Transport Assessment and evidence prepared by Curtins concludes that the development impact is not significant or severe within the context of §111 of the NPPF.

Existing Highway Network

A5145 Parrs Wood Lane / Wilmslow Road

6.138 The A5145 Parrs Wood Lane lies to the south of the site, as a continuation of the A5145 Wilmslow Road to the west. Parrs Wood Lane extends for circa 450m in an easterly direction, prior to continuing as Didsbury Road at a three-arm priority junction with Burnage Lane. Whereas Wilmslow Road extends for circa 600m towards the west until it reaches Fletcher

6 Key Issues for Consideration

Moss Park, then extends to the north for circa 900m, leading to Didsbury and continuing as the B5095 Wilmslow Road at a four-arm signalised junction with the A5145 Barlow Moor Road and School Lane.

6.139 In the vicinity of the site, the A5145 comprises a single carriageway with an average width of circa 10m, accommodating one lane in each direction, including ghost islands and a right turn lane into the Tesco Superstore. There are wide footways over 2m in width along both sides of the carriageway (minimum footway width of 2.5m on the northern side of the carriageway), and are complete with dropped kerbs, tactile paving, and uncontrolled crossing points. There are also signalised crossing points at all arms of the A5145 Wilmslow Road / Parrs Wood Lane junction and the A5145 Parrs Wood Lane / A34 Kingsway junction.

6.140 To the east of the site, the A34 extends from Manchester City Centre in the north and continues through to the M60 / M56 motorway junction south of the site and onto Handforth, Wilmslow, Congleton and Stoke-on-Trent.

Kingsway

6.141 In the vicinity of the site, the A34 Kingsway comprises a dual carriageway with an average width of circa 20m, accommodating two lanes in each direction. There are also wide footways of up to circa 3m, with pedestrian guard railing at the crossing points and along certain lengths of the road.

6.142 The A34 Kingsway is subject to a 40mph speed limit with parking restrictions in the form of double yellow lines. In the vicinity of the site, there are also northbound and southbound bus stops on either side of the road, with services to Manchester City Centre and MediaCityUK in Salford. Some bus stops have shelters and seating, whereas some only comprise a flag pole.

6 Key Issues for Consideration

Additional Junction Modelling

Transport Assessment (May 2022)

- 6.143 The capacity assessments within the Transport Assessment submitted for the original planning application were undertaken as a linked LinSig model due to the proximity and interactions between the operation of the junctions.
- 6.144 The assessments were undertaken using the survey data from September 2021 and it was demonstrated within the Transport Assessment that some junctions on the wider highway network were predicted to operate at/above capacity.
- 6.145 It was noted within the Transport Assessment that the wider network performance is similar between the 'Base' and the 'Base with Development' scenarios, with the change in delay less than 1%. Overall, it was considered that the impact of the proposed development on the operation of the local highway network is minimal and mitigation beyond the implementation of the Travel Plan was not considered to be necessary.

Updated Traffic Surveys

- 6.146 Despite Curtins view that the assessments and methodology undertaken for the original application were appropriate and robust, following consultation responses from the Council and TfGM, new updated traffic surveys were undertaken on Thursday 3rd November 2022 to respond directly to MCC's concerns as to the adequacy of the 2021 traffic surveys in relation to COVID-19 and ensure the robustness of the evidence. The surveys were undertaken during school term time and there were no roadworks in the study area at the time of the survey.
- 6.147 The peak hours observed were 07:45 – 08:45 in the AM (the same as the TA) and 17:00 – 18:00 in the PM (one hour earlier than the TA). The same process as the TA has then been followed, adding the queue demand, applying background traffic growth, and adding the proposed development traffic.

6 Key Issues for Consideration

- 6.148 The traffic survey results are summarised below with the resulting traffic figures to be provided as part of Curtins evidence.

Junction Modelling

- 6.149 The peak hour traffic flows and subsequent scenarios within LinSig have been updated based on the traffic surveys undertaken in November 2022.

- 6.150 As per the Transport Assessment, the future year operation of the local highway network has been assessed at the following locations.

- Junction 1 – A5145 Parrs Wood Lane / Tesco access;
- Junction 2 – A34 Kingsway / A5145 Parrs Wood Lane signalised junction;
- Junction 3 – A34 Kingsway / A5145 / Parrs Wood Entertainment Centre signalised junction;
- Junction 4 – A5145 Parrs Wood Lane / East Didsbury Access Road signalised junction; and
- Junction 5 – A34 Kingsway / B5095 Wilmslow Road signalised junction.

- 6.151 Curtins have concluded that the latest modelling has reached exactly the same conclusions as demonstrated within the original Transport Assessment. A summary of the modelling results for each Junction have been summarised below, full detailed analysis has been included within Curtins evidence.

Junction 1 A5145 Parrs Wood Lane / Tesco access

- 6.152 A5145 Parrs Wood Lane / Tesco access junction is predicted to operate well within practical capacity in the 2022 and 2027 future year scenarios. With the addition of the development traffic, the results confirm that the junction will continue to operate with spare capacity.
- 6.153 A comparison of the results for the base and development scenarios indicates minimal changes in queues and delays at the junction.

6 Key Issues for Consideration

Junction 2 A34 Kingsway / A5145 Parrs Wood Lane Signalised Junction

- 6.154 Junction 2 has been assessed to operate above theoretical capacity in the 2022 and 2027 base scenarios. The results subsequently demonstrate that the junction will continue to operate above theoretical capacity with the addition of the proposed development traffic. However, comparison of the results for the base and base plus development scenarios shows a minimal increase in the degree of saturation and queues.

Junction 3 A34 Kingsway / A5145 / Parrs Wood Entertainment Centre Signalised Junction

- 6.155 Junction 3 will continue to operate within practical capacity during the AM and PM peak hours the 2022 base scenarios and in the 2027 future years.
- 6.156 When the development flows are included, the junction remains within practical capacity, and the increases in the degree of saturation, queueing and delay as a result of development traffic is minimal.

Junction 4 Parrs Wood Lane / East Didsbury Access Road Signalised Junction

- 6.157 Junction 4 will continue to operate within practical capacity during the AM and PM peak hours the 2022 base scenarios and in the 2027 future years.
- 6.158 When the development flows are included, the junction remains within practical capacity and the increases in the degree of saturation, queueing and delay as a result of development traffic is minimal.

Junction 5 A34 Kingsway / B5095 Wilmslow Road Signalised Junction

- 6.159 Junction 5 has been assessed to operate above theoretical capacity in the 2022 and 2027 base scenarios. The results subsequently demonstrate that the junction will continue to operate above theoretical capacity with the addition of the proposed development traffic.
- 6.160 The results are broadly similar to the Transport Assessment as they confirm the junction is operating above theoretical capacity for all scenarios.

6 Key Issues for Consideration

Summary

- 6.161 Notwithstanding, due to the low levels of development vehicular trips travelling through the junction, Curtins conclude that the increases in both degree of saturation and queues are negligible.
- 6.162 As per the original Transport Assessment, the site access junction is predicted to operate satisfactorily with a sufficient amount of residual capacity available in the future year traffic scenario, without and with the proposed development.
- 6.163 In addition, all junctions which were noted to be operating over capacity within the Transport Assessment are predicted to be so using the updated model. However, Curtins conclude that the magnitude of impact remains negligible with the proposed development flows resulting in very minor increases to queuing, delays and degree of saturation.
- 6.164 The overall network performance is similar between the 'base' and the 'base with development' scenarios, with the change in delay at a maximum of around 3% in the 2027 PM scenario, and less than 1% in all other scenarios.
- 6.165 It is evident from the traffic modelling that has been undertaken that parts of the local highway network are congested and are operating at/over-capacity. This is most clearly demonstrated at Junction 2 – A34 Kingsway / A5145 Parris Wood Lane Signalised Junction, and Junction 5 – A34 Kingsway / B5095 Wilmslow Road Signalised Junction.
- 6.166 The predicted change in results with the addition of the proposed development is small. Indeed, the predicted change is sufficiently small that the overall outcome is the same – localised congestion on the adjacent highway network. It is acknowledged that the highway network in this locality is heavily trafficked, with queueing and delays experienced by vehicles that pass through it. The addition of the proposed development would not materially change the operation of the junctions.

6 Key Issues for Consideration

- 6.167 In practice, drivers have varied responses to congestion. These responses include taking alternative routes to optimise their journey times, through for example, the use of online route planners and in-car satellite navigation systems. Responses also include the re-timing of trips to avoid the busiest periods, which is commonly referred to as 'peak spreading'. The other main response is a change of mode, where the level of congestion encourages the driver to switch to another mode of transport, such as public transport. Hybrid working practices also now provide the option of working from home where permitted by employers.
- 6.168 In terms of potentially increasing congestion and queuing at junctions, the Secretary of State and Inspector in the seminal call-in decision at Land at Grange Farm Hartford, Cheshire and Land to the East of School Lane, Hartford, Cheshire (ref. APP/A0665/A/12/2179410 and APP/A0665/A/12/2179374) dated 18 November 2013, were examining a proposal that created a one minute extra delay to an existing 6 minute delay within an additional 66 vehicles added to 518 queueing vehicles in the peak hour. In response, the Inspector stated at § 14.45 of the decision (and endorsed by the SoS at § 24 of the call-in decision):
- "Any additional delay however carries less weight as it is not the aim of policy to protect the convenience of commuting car drivers"*
- 6.169 Whilst the Appeal proposals will in fact generate significantly less congestion and delays, the argument still stands that it is not the aim of policy to protect the convenience of commuting car drivers using the A5145 or A34 to travel to work, and to argue otherwise would be in direct tension with the direction of national policy for the last quarter century.
- 6.170 In summary, the traffic modelling that has been undertaken includes a range of worst case assumptions, whereas in reality, the results on the ground are expected to be better than the model forecast. Notwithstanding, parts of the local highway network do experience congestion at present, and the proposed development would not materially change this. In reality, drivers will continue to travel along their normal routes until the level of congestion becomes unacceptable to them, and there are a range of potential responses that they would take.

6 Key Issues for Consideration

- 6.171 The proposed development is located in a highly accessible location, therefore residents of the development will be afforded the opportunity to travel by alternative modes to the private car from the outset. The level of private car use is also expected to be low.
- 6.172 It is therefore concluded by Curtins that the proposed residential development would not result in a severe residual impact on the highway network and is therefore in accordance with § 111 of the NPPF and Core Strategy Policy T1.

Summary and Conclusion

- 6.173 Curtins evidence includes new traffic survey data collected in November 2022 and updated traffic modelling results that reach exactly the same conclusions as the planning submission documents. It has demonstrated that the impact of the proposed development on the operation of the local highway network would be minimal. It also includes a practical discussion about the potential responses by drivers to congested highway networks.
- 6.174 Overall, it is concluded that the proposed residential development would not result in a severe residual impact on the highway network and is therefore in accordance with § 111 of the NPPF and Core Strategy Policy T1.

7 The Appeal Procedure

PROPOSED APPEAL PROCEDURE

- 7.1 The Planning Inspectorate's 'Procedural Guide: Planning appeals – England' (dated 12 April 2022) provides guidance and general principles that should be followed in respect of Planning Appeals. Annexe K of the guidance sets out the criteria against which appeals are assessed to determine the appropriate procedure.
- 7.2 As set out at §1.9 of this Statement of Case, the Appellant requests that the reasons for refusal provided by the Council are examined at Public Inquiry. Annexe K of the guidance is clear that an appeal by way of a Public Inquiry would be appropriate if meets or one or more of the below criteria:
- *“there is a clearly explained need for the evidence to be tested through formal questioning by an advocate (this does not preclude an appellant representing themselves as an advocate); or*
 - *the issues are complex (for example, where large amounts of highly technical data are likely to be provided in evidence); or*
 - *the appeal has generated substantial local interest to warrant an inquiry as opposed to dealing with the case by a hearing (where the proposal has generated significant local interest a hearing or inquiry may need to be considered. In such circumstances the local planning authority should indicate which procedure it considers would be most appropriate taking account of the number of people likely to attend and participate at the event. We will take that advice into account in reaching the decision as to the appropriate procedure.)”.*
- 7.3 Taking into consideration the above, it can be demonstrated that the appeal fully meets each of the criteria as set out in turn below:

7 The Appeal Procedure

There is a clearly explained need for the evidence to be tested through formal questioning by an advocate

- 7.4 The three reasons for refusal raise a series of complex issues of professional judgement, specifically in respect to density. This will require a detailed explanation and exploration by an advocate using expert evidence. The issues at the centre of this appeal high density development and housing needs require specific expert evidence on each to be thoroughly tested in cross examination.

The issues are complex

- 7.5 Issues of car parking provision (RfR 2) and impact on the highway network (RfR 3) are inherently complex by their nature. Ordinarily such matters are often best addressed through detailed presentation of evidence tested through cross examination.
- 7.6 In this case the issues are particularly complex by virtue of the location and importance of the appeal site. The site is in a prominent location in South Manchester. The importance of the site, linked to the inherently complex issues raised in the reasons for refusal make it essential that the evidence is fully tested at public inquiry.

The appeal has generated substantial local interest to warrant an inquiry as opposed to dealing with the case by a hearing

- 7.7 The Council's Committee Report dated 28th July 2022 confirmed that there were two rounds of public consultation eliciting 228 objections from local residents, many of which are detailed and the level of public interest is expected to be high therefore. Councillors Foley, Simcock and Wilson, Ward Councillors for East Didsbury Ward within which the site is situated, also objected to the proposed development.
- 7.8 It is anticipated that a number of interested third parties will wish to make formal representations to the appeal at Inquiry with some potentially wanting to actively participate by seeking Rule 6 status. In order to fully explore issue raised by interested parties and to

7 The Appeal Procedure

allow for proper consideration of evidence, it is considered that examination at inquiry would be the most appropriate procedure.

Conclusion

- 7.9 In order to be considered appropriate to be heard at Inquiry appeals need to meet at least one of the criteria set out in Annexe K. As described above, it is considered that in this instance the appeal meets each and every one of the tests which indicates that an Inquiry represents the most appropriate procedure. Given the complexity of the issues highlighted by the Council reasons for refusal it is contended that a Hearing would not facilitate the level of examination required to sufficiently address the matters in question. Therefore, it is respectfully requested that the appeal be heard at Inquiry.

WITNESSES ON BEHALF OF THE APPELLANT

- 7.10 The Appellant presently anticipates the need to call witnesses evidence in relation to Planning, Housing Need and Transportation in order to support the case at appeal, but reserves the right to supplement that evidence as appropriate in relation to other areas as appropriate. The following representatives from the following practices, are likely to provide such evidence:

- Planning – Harry Bolton, CBRE Limited
- Housing Need – Chris Sinton, CBRE Limited
- Build to Rent/ Market Analysis – Tom Sinclair, CBRE Limited
- Appropriateness of Design – Stephen Hodder, Hodder + Partners
- Independent Design Audit – Colin Pullan, Lambert Smith Hampton
- Transport and Highways – Carl Peers, Curtins
- Accessibility and Sustainability – Aaron Tilley, Curtins

8 Draft Planning Conditions/ Planning Obligations

- 8.1 This section of the Statement addresses the draft conditions and planning obligations associated with the Planning Appeal.

Draft Planning Conditions

- 8.2 No draft conditions were attached the Officers Report and none have been agreed subsequently. The Appellant will therefore work closely with the Council during the Appeal process in order to agree suitable planning conditions in accordance with national and local planning guidance.

Planning Obligations

- 8.3 The Appellant intends to submit a Unilateral Undertaking in respect of the Appeal proposals and intends to submit draft Heads of Terms for the Council's review in due course.

9 Summary and Conclusion

- 9.1 This Statement of Case ('Statement') has been prepared on behalf of the Appellant, Dandara Living Developments Limited, to accompany an appeal against the decision of Manchester City Council to refuse planning permission on 2nd August 2022. Having full regard to the Council's reasons for refusal, this Statement has detailed the case that will be advanced by the Appellant and provides information to support its position.

The Site

- 9.2 The Site comprises previously developed land which is currently underutilised as car parking for Tesco Superstore when compared to demand. The Site is located in a highly sustainable area of Didsbury with frequent bus, train and Metrolink services connecting to the City Centre and the wider Greater Manchester area.

Reasons for Refusal

- 9.3 In response to the Council's three reasons for refusal this Statement demonstrates that:
- RfR 1- The proposal is for a high density form of residential development outside of an identified district centre that does not address the housing needs of the area. As such the proposals do not accord with policies SP1, H1 and H6 of the adopted Manchester Core Strategy**
- 9.4 Hodder + Partners have provided a clear rationale for the proposed scheme and its response to context in the submitted Design and Access. Furthermore, an independent design audit of the scheme has been undertaken against the criteria set by the NPPF, the NDG and supporting local policy and guidance. This audit concludes that the building would be of high quality.
- 9.5 Overall, it can be demonstrated that the proposed development accords with policies SP1, H1 and H6. This is irrespective of the fact that the Council cannot demonstrate a deliverable 5 year housing land supply and as such the presumption in favour of sustainable development is engaged under § 11(d) of the NPPF.

9 Summary and Conclusion

RfR 2 - The proposals fail to provide an adequate level of on-site car parking to serve the proposed residential units contrary to policies DM1 and T2 of the adopted Manchester Core Strategy.

- 9.6 The Appellant's evidence has demonstrated that the Site is situated within a highly accessible area, with a number of complementary uses and amenities within walking and cycling distance.
- 9.7 The Site is well located to take advantage of the excellent existing public transport infrastructure, including bus, train and Metrolink in addition to walking and cycling opportunities, which would provide viable alternatives to travel by car.
- 9.8 The proposed level of car parking is appropriate and sufficient to meet the expected level of demand, and it has been demonstrated why there is less need to own a car in this location. It has also been demonstrated how the on-site car parking is proposed at a sustainable level for the type of development and the typical profile of occupiers, based on the accessibility of the site and supported by demand management measures and car park management.
- 9.9 On-street parking by residents and visitors of the proposed development is profoundly unlikely to occur. If some on-street parking were to occur, any impacts on residential amenity would be minimal, and not significant or severe.
- 9.10 Overall, it is concluded that the site is situated within a highly accessible area, with a number of complementary uses and amenities within walking and cycling distance. The site is therefore well located to take advantage of the excellent existing public transport infrastructure, including bus, train and Metrolink in addition to walking and cycling opportunities.

RfR 3 - The applicant has failed to demonstrate that the proposed development would not give rise to unacceptable impacts to congestion on the highway network contrary to policy T1 of the adopted Manchester Core Strategy

9 Summary and Conclusion

9.11 Curtins evidence includes new traffic survey data collected in November 2022 and updated traffic modelling results that reach exactly the same conclusions as the planning submission documents. It has demonstrated that the impact of the proposed development on the operation of the local highway network would be minimal. It also includes a practical discussion about the potential responses by drivers to congested highway networks.

9.12 Overall, it is concluded that the proposed residential development would not result in a severe residual impact on the highway network and is therefore in accordance with § 111 of the NPPF and Core Strategy Policy T1.

Scheme Benefits

9.13 The proposed development will provide significant regeneration benefits including:

- The beneficial re-use of an underutilised brownfield site in a highly sustainable location;
- Meet an identified need for new homes in South Manchester;
- Deliver 20% affordable private rented apartments for which there is an acute need locally;
- Incorporation of high levels of sustainability into the development; and
- Supporting employment opportunities associated with the development's construction and operation.

9.14 In conclusion, the Appellant reserves the right to respond to any additional matters or evidence raised by the Council, Statutory Consultees or third parties over the course of the Appeal. The reasonableness of the Council's position is strongly challenged.

APPENDICES

A Appendix A – Decision Notice

B Appendix B – Site Location Plan

C Appendix C – Tesco Letter of Support

D Appendix D – Schedule of Core Documents
