

The Planning Inspectorate

PLANNING APPEAL FORM (Online Version)

WARNING: The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

Appeal Reference: APP/B4215/W/23/3314646

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name	Ms Rachel Allwood
Company/Group Name	Dandara Living Developments Limited
Address	C/O CBRE Limited 10th Floor, One St Peters Square Manchester M2 3DE
Email	rallwood@dandara.com
Preferred contact method	Email ☒ Post ☐

B. AGENT DETAILS

Do you have an Agent acting on your behalf?	Yes ☒ No ☐
Name	Mr Chris Sinton
Company/Group Name	CBRE
Address	CBRE One St Peters Square Manchester M2 3DE
Phone number	0161 233 5448
Email	chris.sinton@cbre.com
Preferred contact method	Email ☒ Post ☐

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	Manchester City Council
LPA reference number	133746/FO/2022

Date of the application

11/05/2022

Did the LPA validate and register your application?

Yes



No



Did the LPA issue a decision?

Yes



No



Date of LPA's decision

02/08/2022

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?

Yes



No



Does the appeal relate to an existing property?

Yes



No



Address

Land Junction Of Parrs Wood Lane
East Didsbury
Manchester
Grid Ref Easting: 385458
Grid Ref Northing: 390415

Is the appeal site within a Green Belt?

Yes



No



Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?

Yes



No



E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form?

Yes



No



Please enter details of the proposed development. This should normally be taken from the planning application form.

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

Area (in hectares) of the whole appeal site [e.g. 1234.56]

0.24 hectare(s)

Does the proposal include demolition of non-listed buildings within a conservation area?

Yes



No



F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused planning permission for the development.



2. Refused permission to vary or remove a condition(s).



3. Refused prior approval of permitted development rights.



4. Granted planning permission for the development subject to conditions to which you object.



5. Refused approval of the matters reserved under an outline planning permission.



6. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object.



7. Refused to approve any matter required by a condition on a previous planning permission (other than those specified above).



8. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval. ☐
9. Failed to give notice of its decision within the appropriate period because of a dispute over provision of local list documentation. ☐

G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations ☐

2. Hearing ☐

3. Inquiry ☒

You must give detailed reasons below or in a separate document why you think an inquiry is necessary. The reasons are set out in

☒ the box below

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.

As set out at paragraph 1.10 of the Appellant's 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.)".

Taking into consideration the above, it can be demonstrated that the appeal fully meets each of the criteria as set out in turn below:

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

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

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.

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

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.

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

Conclusion

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.

(a) How many witnesses do you intend to call?

7

(b) How long do they need to give their evidence?

It is anticipated that the witnesses will require 7 days in order to give their evidence.

(c) How long do you estimate the inquiry will last?

7 day(s)

(d) Is there any further information relevant to the inquiry which you need to tell us about?

N/A

H. FULL STATEMENT OF CASE

☒ see 'Appeal Documents' section

Do you have a separate list of appendices to accompany your full statement of case?

Yes ☒ No ☐

☒ see 'Appeal Documents' section

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? (Please attach draft version if available)

Yes ☒ No ☐

(b) Have you made a costs application with this appeal?

Yes ☐ No ☒

I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates;

☐

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below:



Owner's Name:

Tesco PLC

Address at which notice was served:

Tesco House, Shire Park, Kestrel Way, Welwyn Garden City, AL7 1GA

Date the notice was served:

11/01/2023

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below.



I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding.



(b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant.



(b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below.



J. SUPPORTING DOCUMENTS

01. A copy of the original application form sent to the LPA.



02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (if these did not form part of the LPA's planning application form).



03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.



04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.



05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.



05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.



05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.



06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application.



06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.



07. A copy of the design and access statement sent to the LPA (if required).



08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure.



09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.



09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA. ☐
10. Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements. ☐
11. If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:
- (a) the relevant outline application; ☐
- (b) all plans sent at outline application stage; ☐
- (c) the original outline planning permission. ☐
12. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached. ☐
13. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). ☐
14. If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over local list documentation, a copy of the letter sent to the LPA which explained why the document was not necessary and asked the LPA to waive the requirement that it be provided with the application. ☐

K. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided?

Yes

☐ No



L. CHECK SIGN AND DATE

(All supporting documents must be received by us within the time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

Signature

Mr Chris Sinton

Date

12/01/2023 22:21:18

Name

Mr Chris Sinton

On behalf of

Ms Rachel Allwood

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

M. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this

form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

You will not be sent any further reminders.

The documents listed below were uploaded with this form:

Relates to Section:	CHOICE OF PROCEDURE
Document Description:	Document containing detailed reasons why an inquiry is necessary.
File name:	Proposed Appeal Procedure.pdf
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A copy of the full statement of case.
File name:	Dandara_Land_Junction_Parrs_Wood_Appellant_SoC_January_23.pdf
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A separate list of appendices to accompany your full statement of case
File name:	Appendix_A_Decision_Notice.pdf
File name:	Appendix_B_Site_Location_Plan.pdf
File name:	Appendix_E_MCC_Executive_Paper_June_20.pdf
File name:	Appendix_C_Tesco_Letter_of_Support.pdf
File name:	Appendix_D_Schedule_of_Core_Documents.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application sent to the LPA.
File name:	Application Form.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.
File name:	Decision Notice August 2022.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
File name:	Site Location Plan A3 Size September 2021.pdf
File name:	Proposed Site Location Plan A3 Size May 2022.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
File name:	East Elevation A1 Size March 2022.pdf
File name:	East Section A1 Size March 2022.pdf
File name:	Facade Fragment Typical 5th Floor A1 Size March 2022.pdf
File name:	Facade Fragment Typical Juliet Balcony A1 Size March 2022.pdf
File name:	Facade Fragment Typical Projecting Balcony A1 Size March 2022.pdf
File name:	Fifth Floor Plan A1 Size May 2022.pdf
File name:	First Floor Plan A1 Size May 2022.pdf

File name:	Ground Floor Plan A1 Size May 2022.pdf
File name:	Landscape General Arrangement A1 Size May 2022.pdf
File name:	Landscape Levels A1 Size May 2022.pdf
File name:	Long Site Elevation AA A1 Size March 2022.pdf
File name:	Long Site Elevation BB A1 Size March 2022.pdf
File name:	North Elevation A1 Size March 2022.pdf
File name:	North Section A1 Size March 2022.pdf
File name:	Roof Plan A1 Size May 2022.pdf
File name:	South Elevation A1 Size March 2022.pdf
File name:	Typical Floor Plan A1 Size May 2022.pdf
File name:	West Elevation A1 Size March 2022.pdf
File name:	Air Quality Assessment.pdf
File name:	Arboricultural Impact Assessment.pdf
File name:	Broadband Connectivity Assessment.pdf
File name:	Crime Impact Statement.pdf
File name:	Daylight and Sunlight Assessment.pdf
File name:	Design for Access Detailed Response.pdf
File name:	Drainage Strategy.pdf
File name:	Environmental Standards Statement.pdf
File name:	Noise Impact Assessment.pdf
File name:	Outline Construction Management Plan.pdf
File name:	Planning Statement.pdf
File name:	Phase 1 GeoEnvironmental Report Part 1 of 2.pdf
File name:	Phase 1 GeoEnvironmental Report Part 2 of 2.pdf
File name:	Preliminary Ecological Assessment.pdf
File name:	Residential Management Strategy.pdf
File name:	Statement of Community Involvement.pdf
File name:	Television Reception Baseline Survey.pdf
File name:	Travel Plan.pdf
File name:	Waste Proforma.pdf
File name:	Fire Statement.pdf
File name:	Transport Assessment Part 1 of 3.pdf
File name:	Transport Assessment Part 2 of 3.pdf
File name:	Transport Assessment Part 3 of 3.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
File name:	Parrs Wood, Didsbury - List of Application Plans.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.
File name:	Parrs Wood, Didsbury - List of Application Plans.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	07. A copy of the design and access statement sent to the LPA.
File name:	Design and Access Statement Part 1 of 3.pdf
File name:	Design and Access Statement Part 3 of 3.pdf
File name:	Design and Access Statement Part 2 of 3.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	08. A copy of a draft statement of common ground.
File name:	Dandara_Land_Junction_Parrs_Wood_Draft_Statement_of_Common Ground.pdf
Completed by	MR CHRIS SINTON
Date	12/01/2023 22:21:18