

MADDOX PLANNING

PLANNING STATEMENT

LONDON & MANCHESTER

0345 121 1706

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CARMOOR ROAD, MANCHESTER
NOVEMBER 2022

Description of development

Demolition of existing buildings and construction of purpose-built student accommodation with 172 beds in a mix of studio and cluster units alongside ancillary facilities and shared amenity space, site access and other associated works in a development of three to six storeys

Type of application

Full planning application

Applicant

Tiger Developments Limited

List of supporting documents

- Full Planning Application Forms, Maddox Planning
- Full Drawing Pack, Lechler Hayes
- Design and Access Statement, Lechler Hayes
- Daylight/sunlight Assessment, Avison Young
- Landscape Masterplan and Planting Strategy, TPM Architects
- Planning Statement, Maddox Planning
- Crime Impact Statement, Greater Manchester Police (GMP)
- Transport Statement, Vectos
- Framework Travel Plan, Vectos
- Ground Conditions Phase 1 Preliminary Assessment, Whitby Wood
- Sustainable Drainage Strategy, Whitby Wood
- Environmental Standards Statement, Futureserv
- Preliminary Ecological Appraisal, Verity Webster
- Biodiversity Net Gain Appraisal, Verity Webster
- Arboricultural Impact Assessment and Arboricultural Method Statement, GM Trees
- Noise impact assessment, MZA Acoustics
- Demolition Statement, Whitby Wood
- Framework Construction Management plan, Tiger Developments Limited
- Waste Management Strategy (including MCC pro-forma), Vectos
- Community Consultation Report, becg

Development plan

The adopted development plan comprises:

1. Core Strategy 2012-2027 (adopted 2012)
2. Interactive Proposals Map (adopted 2012)
3. Unitary Development Plan – saved policies (adopted 1995)
4. Greater Manchester Joint Waste DPD (adopted 2012)
5. Greater Manchester Joint Minerals DPD (adopted 2013).

The emerging development plan comprises:

1. Manchester Local Plan (issues and options February to April 2020)
2. Places for Everyone Joint Development Plan Document, published August 2021 (submitted to the Secretary of State for examination on 14 February 2022). Examination hearings are due to commence from November 2022 to March 2023.

Policies map

The following designations on the policies map are particularly relevant:

1. EC8 – Central Manchester

Planning policies

The following adopted planning policies are particularly relevant:

Document	Policy number	Policy title
Core Strategy	SP1	Spatial Principles
Core Strategy	CC3	Housing
Core Strategy	CC8	Change and Renewal
Core Strategy	CC10	A Place for Everyone
Core Strategy	EC8	Central Manchester
Core Strategy	H1	Overall Housing Provision
Core Strategy	H5	Central Manchester
Core Strategy	H8	Affordable Housing
Core Strategy	H12	Purpose Build Student Accommodation
Core Strategy	T1	Sustainable Transport

Core Strategy	T2	Accessible Areas of Opportunity and Need
Core Strategy	EN 1	Design Principles and Strategic Character Areas
Core Strategy	EN4	Reducing CO2 Emissions by Enabling Low and Zero Carbon Development
Core Strategy	EN6	Target Framework for CO2 reductions from low or zero carbon energy supplies
Core Strategy	EN8	Adaption to Climate Change
Core Strategy	EN 18	Contaminated Land and Ground Stability
Core Strategy	EN 19	Waste
Core Strategy	PA1	Developer Contributions
Core Strategy	DM1	Development Management
UDP	DC26	Development and Noise

Other material considerations

Other material considerations (such as national planning policy and supplementary planning documents, area action plans and design briefs) include:

1. National Planning Policy Framework (2021) – the Framework
2. National Planning Practice Guidance (various dates) – the Practice Guidance
3. Guide to Development in Manchester SPD (adopted 2007)
4. Residential Quality Guidance (Issue 1, 2017)
5. Design for Access 2 Best Practice Guidance (2013)
6. Green and Blue Strategy / Action Plan (2015)
7. Purpose built student accommodation (PBSA) report to Executive Committee (9 December 2020)
8. National Design Guide (2021)

Relevant planning decisions

Reference/address	Description	Status/decision date	Referred to in paragraph number of this statement
86 Carmoor Road			
022428	Change of use from Sunday school to a house with a ground floor office	Planning permission granted October 1984	-
031676	Conversion of dwellinghouse into four self-contained flats	Planning permission granted July 1988	-
Depot/vehicle workshop			
TP.65113	Continuance of use of buildings as motor repair workshop	Planning permission granted June 1975	-
F05819	Continuance of use of buildings as motor repair workshop	Planning permission granted December 1976	-

Off-site decisions	Referred to in paragraph number of this statement
Deansgate South Appeal Decision ref: APP/B4215/W/21/32875250 The Deansgate South appeal was allowed on 17 May 2022. The appeal proposal is a 28 storey PBSA development, with capacity for 534 students	4.28
Wilmslow Road Appeal Decision ref: APP/B4215/W/21/3286831 The Oakley, 188 Wilmslow Road appeal was dismissed on 12 July 2022. The PBSA proposal was for 425 bedrooms broken down between clusters (86%) and studios (14%).	4.39

Density and height

Units per hectare	290
Habitable rooms per hectare	942
Beds per hectare	819
Floor area ratio (total gross external area of all floors/site area)	2.56

Site coverage ratio (gross external area of ground floors/site area)	0.58
Height range in metres above ground level of Block A	13.5m
Height range in metres above ground level of Block B	19.5m

Contents of this statement

1. Site and area description
2. Pre-application engagement
3. Proposed development and consideration against policy expectations
4. Regeneration and PBSA
5. Conclusions

Appendices

1. Letter from University of Manchester
2. Deansgate South Appeal Ref: APP/B4215/W/21/32875250
3. Wilmslow Road Appeal Ref: APP/B4215/W/21/3286831

1.0 Site and area description

- 1.1 The site address is Carmoor Road, Manchester, M13 0FB. The site area is 0.21 hectares.
- 1.2 The site is located within the development plan defined central area of Manchester. It sits just outside of the defined city centre, just beyond the Corridor Manchester sub-area of the city centre. It is also just outside of and within easy walking distance of the defined Oxford Road Corridor regeneration area. The Oxford Road Corridor is a focus for the University of Manchester teaching departments. The site is very close to the Manchester University NHS Foundation Trust hospitals on Upper Brook Street and Oxford Road.
- 1.3 Nearby Upper Brook Street is part of a high frequency bus route connecting Didsbury, universities and the city centre.
- 1.4 The site is not allocated for any specific use in the development plan.
- 1.5 Existing uses on the site includes a garage workshop, four vacant residential flats in a single building and a building used previously as a private day nursery which is also now vacant. The owner of the garage has plans to relocate locally, to alternative premises at Hellidon Close. None of the buildings are of any architectural merit or are subject to statutory protection. The nearest statutorily listed asset (Victoria Baths on Hathersage Road) is some distance away. The application site is not within a conservation area. It is situated some 250 metres north of Victoria Park conservation area.
- 1.6 There are limited trees on-site and adjacent to the site. An arboricultural impact assessment and arboricultural management strategy are submitted with the planning application.
- 1.7 The site is located immediately south of a community centre managed by the West Indian Organisations Co-ordinating Committee (WIOCC). The immediate area comprises a mix of residential and commercial uses, including offices and other Class E uses. Opposite the site is the Octagon House office building, a private car park and an electricity sub-station. Octagon House is a multi-level office building of significant scale and massing. There is an extant commitment for an energy centre on part of the existing Octagon House car park. To the north and west of the site is the Liberty Park student accommodation. To the south are the rear of commercial uses on the ground floor with residential use on the upper floor, fronting Hathersage Road. St Mary's Hospital occupies a significant site to the west side of Upper Brook Street. Layout, scale and massing locally is varied but it is generally to a suburban scale and relatively low-rise.
- 1.8 Carmoor Road is subject to parking restrictions, limiting parking to resident permit holders or a three hour stay. There are a number of parking bays to the north side of Autumn Street.
- 1.9 The site is entirely within flood zone 1 (lowest probability of flooding). The site is not in an air quality management area.

2.0 Pre-application engagement

- 2.1 The National Planning Policy Framework, 2021 (The Framework) paragraph 39 entails that early engagement has a significant potential to improve the efficiency and effectiveness of the planning system for all parties.

Engagement with Manchester City Council

- 2.2 The applicant has engaged and worked collaboratively with elected members and local planning officers at Manchester City Council (MCC) through an extended pre-application process over the period since 2017. The applicant has also engaged in detailed discussions with other departments at the council. Detailed discussions also took place with representatives for the WIOCC community centre, and the applicant will continue to engage with WIOCC representatives throughout the planning application process.
- 2.3 The latest pre-application meeting took place in August 2022 between MCC planning officers and the development team including applicant Tiger Developments, Lechler Hayes and Maddox Planning. The meeting was positive with useful commentary which has assisted in further design evolution. The scope of validation requirement documentation was also agreed at this stage. The documents agreed form this planning application submission.
- 2.4 MCC planning officers and the development agreed that the justification for the principle of the proposed development would be to refer to development plan policy and specifically policy H12, the interim policy on PBSA and recent appeal decisions including that relating to a site at Deansgate South.
- 2.5 The overriding objective is to ensure that the right design and composition of development for the site is achieved, whilst meeting the established need for student housing.
- 2.6 The MCC planning officers expressed how favourable they were of the design features and materials used in the proposal, including the use of grey stock with grey mortar, allowing the proposal to contrast with existing buildings. The MCC planning officers articulated how the design is visually appealing with the breaking down of massing to enunciate the façade and how the elevations respond appropriately to the WIOCC community centre.
- 2.7 The full details and conclusions from the pre-application consultation process are provided within the Community Consultation Report, prepared by begg, which is submitted as part of the planning application.

3.0 Proposed development and considerations against policy expectations

3.1 The proposed description of development is:

Demolition of existing buildings and construction of a purpose-built student accommodation with 172 beds in a mix of studio and cluster units alongside ancillary facilities and shared amenity space, site access and other associated works in a development of three to six storeys

- 3.2 Full planning permission is sought for sui generis accessible purpose-built Student Accommodation (PBSA). development split across two adjoining blocks. The PBSA accommodation will be divided into total of 61 units made up of 35 studios and 26 cluster units. Internal and external amenity space is to be provided.
- 3.3 A proportion of the PBSA units/beds are intended to be the subject of a nomination agreement with the University of Manchester. A letter of support from the University for the proposed development is attached at **Appendix 1**. The applicant intends to include affordable provision as part of the proposal, targeting a rental of 80% market rent. Even if a nomination agreement is not reached, the applicant would still look to provide an affordable element as part of the proposed development. Discussions are ongoing with the Universities.
- 3.4 The objective of the applicant is to commit to the local area, as it does to all local areas in which it operates, and to form a strong and lasting relationship with the local community that its development will contribute to. Host Student Housing Management (UK) Limited (Host), sister company of Tiger Developments, was responsible for the successful delivery of the Liberty Park development (originally Victoria Hall), on Upper Brook Street and adjacent to the site, prior to that accommodation passing to Unite.
- 3.5 The submitted drawings, Design and Access Statement (DAS) and other technical documents including Transport Statement provide full details of the proposed development. A summary is provided here.

The opportunity

- 3.6 The opportunity is several fold, including:
- Significant regeneration benefit of an underutilised brownfield site for new student accommodation;
 - Purpose built student accommodation that will include a proportion of units at an affordable rent;
 - Close and suitable location to Manchester universities.
 - Positively contributing to the much-needed supply requirement of PBSA in Manchester (raised in the Manchester South appeal decision ref: APP/B4215/W/21/32875250 and Wilmslow Road appeal decision ref: APP/B4215/W/21/3286831).
 - An emerging student community around a cluster of PBSA buildings;
 - Positively contributing to student accommodation supply in South Manchester and reducing student reliance on Housing in Multiple Occupation (HMOs);
 - Creating a student accommodation cluster, alongside the successful and well-established Liberty Park facility.

Consideration against policy

- 3.7 Section 38(6) of the Planning Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material consideration indicates otherwise. This section therefore assesses the proposal against detailed development plan policies, outlined above, that guide what is expected of development on the sites given location and the site conditions while examining relevant material considerations where appropriate. The assessment draws upon the suite of application documents listed at

Section 1 of this statement. The main planning considerations are considered to be justification for new build; design, scale and massing; layout and access; the case for PBSA; and regeneration.

- 3.8 Matters regarding the approach to the PBSA and regeneration are dealt with in Section 4.0.

Justification for new build

- 3.9 The current buildings on the site include a garage workshop, four vacant residential flats in a single building, and a building formerly occupied by day nursery which is also now vacant, all of brick construction. None of the buildings are of any architectural merit and none are subject to statutory protection. Due to the nature of the design and layout of both these buildings, they are unsuitable for retention in respect of the proposed PBSA development and would not be an efficient use of land in line with the aspirations set out in section 11, paragraph 121 *Making effective use of land* of the Framework 2021.
- 3.10 It is appropriate to consider whether the existing buildings on the site might be put to alternative use, as an alternative to comprehensive redevelopment. The former day nursery has remained vacant for some considerable time, and the flats adjoining are not occupied. The vehicle repair garage continues to operate from the site, but this is merely pending relocation which is tied to redevelopment. There is no obvious alternative use for the vehicle repair garage premises, and the other former school buildings (the residential units and former day nursery premises) have not enjoyed a sustained purposeful use for some considerable time.
- 3.11 Paragraph 119 of the Framework 2021 states that:
- ‘Planning policies and decisions should promote effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions... in a way that makes as much use as possible of previously-developed or ‘brownfield’ land.’*
- 3.12 There is an appreciation that there is embodied carbon at the site being a brownfield site. That said, the retention of the buildings is not a realistic prospect for the proposed or any use, given that they are life expired. Re-use would not aid long-term sustainable development or longevity of use. It would be poor land use planning to retain a brownfield site in a state where it cannot achieve anything like its potential to deliver regeneration benefit. The proposed development is aiming for BREEAM excellent rating and the use of sustainable design principles throughout. There is also an aim to achieve a 10% Biodiversity Net Gain (BNG) at the site.

Design

- 3.13 Policy EN 1 *Design Principles and Strategic Character Areas* sets out that all development in Manchester should follow seven principles of urban design (taken from national policy at the time of Core Strategy adoption). Policy EN 1 describes the Central Arc Character Area of the city, which the site is located at the edge of, as:
- ‘Predominantly one of 1960’s social housing estates and zoned industrial areas bisected by the transport network and largely resulting from the comprehensive redevelopment of the past. Significant areas of employment are found where this area overlaps with the fringe of the City Centre.’*
- 3.14 The policy continues by advising what type of development would be suitable for this area of Manchester. There is acknowledgement within these areas that currently regeneration is taking place and *‘opportunity exists for development on a large scale using innovative urban design solutions.’* The proposal is considered consistent with the aspirations for the Central Arc Character Area.

- 3.15 The proposed development delivers a high level of sustainability and is rightly considered to be of a high-quality design, consistent with DM1 and EN 1 of the Core Strategy. The proposed development is considered resilient including in the context of the locally declared climate change emergency (declared July 2019 in the interests of seeking to ameliorate the effects of climate change).
- 3.16 Lechler Hayes Architects authored the Design and Access Statement (DAS) which provides full details of the design approaches and solutions adopted in advancing a scheme that is to a high-quality design. The DAS provides full justification for the layout, unit sizing, orientation, scale and massing of the proposed development; all of which are considered to be entirely appropriate in the site context. The proposed development makes appropriate provisions in terms of seeking to safeguard the amenity, privacy, safety and security of future tenants and occupiers of adjoining premises and the wider local community.

Access and parking

The accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.

- 3.17 Core Strategy policy T1 *Sustainable Transport* sets out a policy basis for delivery of a sustainable, high quality, integrated transport system which prioritises to public transport, cycling and walking, to support the needs of residents and businesses and to prepare for carbon free modes of transport.
- 3.18 Core Strategy policy T2 *Accessible Areas of Opportunity and Need* sets out principles for managing the pattern of development in terms of potential impact on highways. The policy seeks to encourage the locating of new development in areas where there is good access to the main economic drivers of the city centre, including the Oxford Road Universities. The policy advises that car parking standards are maximums.
- 3.19 A transport statement is submitted. It sets out in detail how the development is considered to achieve compliance with the transportation and highways policies of the development plan and specifically policies T1 and T2 of the Core Strategy. The proposed development is also considered to be compliant with paragraphs 108 and 110 of the Framework. The transport statement confirms that the site is in a highly accessible location. It also identifies that public transport accessibility is at the highest possible level, with a GMAL rating of 8 (accessibility rating for public transport).
- 3.20 The proposed development is designed to be accessible. Shared amenity areas are accessible, and there are two accessible studios. There are also two accessible parking spaces proposed in the Carmoor Road highway, which would be delivered through a s278 Agreement.
- 3.21 Pedestrian access into the development is from the main entrance on Autumn Street to directly link the development with the University Campus' and from a secondary access on Carmoor Road. The development has been stepped back at Carmoor Road to create wider pavements and new tree planting to improving the streetscape.
- 3.22 Block A is to the south of the site and block B to the north. The principal entrance to the development from Autumn Street leads to a central courtyard between both blocks which provides access to a central reception foyer. Residents can then travel to their respective block from there.
- 3.23 A transport statement and framework travel plan has been completed by Vectos which has informed the design of the development. The development is to provide 70 cycles spaces for residents in secure cycle stores which are located within the northern courtyard. 10 of these spaces will contain bicycles available for hire. The travel plan encourages residents to choose sustainable modes of transport when travelling to and from the site.

- 3.24 The submitted waste management strategy and servicing strategy (as part of the transport statement), prepared by Vectos set out the principles and methods of how the site waste management will operate. The waste management strategy advises that waste will be separated at source and stored off the highway in a purpose-built refuse store minimising the distance to collection thus reducing the opportunity for spillage. It is considered that servicing including refuse collection activity can be undertaken with minimal impact on the surrounding highway network.
- 3.25 The proposed refuse store will be accessible from the reception area leading on to Carmoor Road. On Carmoor Road, there is a proposed lay-by allowing for the stopping of refuse and maintenance vehicles.
- 3.26 The proposal provides two accessible car parking spaces on the Carmoor Road highway. The proposed refuse collection/servicing lay-by and accessible parking spaces are off-site, in the highway and proposed to be delivered through S278 works. No other provision is made for the parking of vehicles. Off-site public car parks that are located close to Carmoor Road and on-street time limited car parking is available locally and able to cater for any residents who on occasion require car parking, or to meet the requirements of any visitors to the site.
- 3.27 The applicant is committed to minimising car usage and will operate a residents' cycle hire scheme, to ensure that all residents have access to a bicycle. It is not intended that students would be eligible to apply for residents' parking permits. The submitted framework travel plan reviews the transport options expected to be available to future PBSA residents/visitors to the site and identifies a range of measures that it is expected would be implemented by a travel plan coordinator to reduce overall car usage and promote the use of sustainable transport modes. It is intended that these principles will be underpinned by the proposed development. Through the delivery of the measures discussed within the framework travel plan, it is anticipated that the objectives identified can be fulfilled. The measures include:
- Travel information packs for residents;
 - Initiatives to raise awareness of sustainable travel / provide public transport information;
 - Promoting the use of local car clubs; and
 - Promoting cycling / ensuring cycle parking facilities are maintained and kept safe.

Layout

- 3.28 The proposed development adopts a logical site layout, with a significant setback consistent with the adjoining community centre; setback when compared with the nearby Brook Hall. The division of the building footprint into two adjoining blocks in a horseshoe formation over three to six storeys which breaks up the massing and allows for communal recreational space within the form of a central courtyard, and a courtyard at the North Side. Sensible building heights are adhered to, given the surrounding context.
- 3.29 The proposal is for the site to be redeveloped as two blocks (A and B). The DAS details how the proposed layout reinforces the intention that two distinct blocks will relate to the existing urban grain. Block A relates appropriately to the current retail terraces located to the south to the site, featuring a stepped massing at the higher levels. Whereas Block B corresponds to the height of the Brook Hall Student accommodation to the west. At the northern boundary, Block B has been stepped back over 10m from the boundary to create separation from existing buildings (including the community centre), featuring tree planting to create a visual barrier at this point.
- 3.30 An acoustic assessment is submitted by MZA Acoustics within the planning application submission, addressing the future relationship that the proposed development and surrounding land uses will share.
- 3.31 Along Carmoor Road frontage is intended to respond to and reflect the layout and rhythm of the current site. The proposed layout will assist with visual permeability, the building height at this point is limited with higher

levels set back and through a broken-down massing the staggering of levels reacts appropriately to the current surrounding building levels.

- 3.32 The distinct horseshoe formation of blocks A and B emphasises the different intended purpose at street level and allows for the improvement of current site use.
- 3.33 The PBSA accommodation is organised into a range of 35 studios (of which two are accessible) and 26 cluster flats, resulting in 172 beds. The studios range from 19.1 sq. m to 26.3 sq. m GIA. The cluster flats range from 93.4sq. m GIA (4 bedroom flat) to 156.8 sq. m GIA (7 bedroom flat) including communal corridor and kitchen space.
- 3.34 The ground floor layout makes provision for cycle and refuse storage and plant areas, to facilitate the planned access arrangements. There is also a reception and office area for management.
- 3.35 Amenity space is dealt with separately below.

Scale and Massing

The height, width and length of each building proposed within the development in relation to its surroundings.

- 3.36 The scale and massing of the proposed development is cognisant of the edge of city centre location. The scale is dictated by an upper threshold on storey height, having regard to the response to early stage pre-application submissions and discussions. These deemed a previously mooted nine-storey tower element to be too high. The immediate context is buildings ranging from three to six storeys, and the pre-application advice received was that the scale should align with immediately adjoining buildings. These are the parameters adhered to by project architect Lechler Hayes in designing a scheme for this planning application submission.
- 3.37 Block B respond to the larger scale of the Brook Hall student accommodation, with building height reduced to the Carmoor Road frontage in the interests of responding the more modest scale of the community centre in between. Block A responds to the domestic scale of the Hathersage Road retail terraces and is limited to three storeys.
- 3.38 The massing of the proposed development similarly relates appropriately to the surrounding context. The massing of Block A relates to the scale and height of the adjacent retail terraces to the south and Block B relates to the height of the Liberty Park student accommodation to the west with a reduction in massing to the Carmoor Road frontage.
- 3.39 Block A is set back from the boundary to increase separation from the terraces. As mentioned above Block B is stepped back 10m from the boundary to create separation between the development and the adjoining community centre.
- 3.40 A daylight and sunlight assessment report, prepared by Avison Young, is submitted to demonstrate that the proposed development is acceptable on daylight and sunlight grounds with regard to its impact on the amenity of adjoining properties.

Appearance

- 3.41 The appearance of the proposed development is a fresh contemporary design, which responds to and is respectful of the character of the local area. The applicant appointed Lechler Hayes as project architect given its track record of intelligent, bespoke, high quality architectural design that is grounded in the context of a site.

- 3.42 The composition of the proposed development and the materials to be used, as detailed in the DAS, are intended to provide a high-quality building, improving the appearance of the site and improving views and the public realm particularly along Carmoor Road.
- 3.43 A mixed palette of light grey stock multi facing brick which reflects the character and identity of the surrounding area with a light grey mortar which complements the grey/bronze metallics PPC metalwork. The proposed choice of materials was supported at pre-application stage by MCC officers.
- 3.44 The façade of the development has been designed by Lechler Hayes to form a series of blocks of different heights which form a vertical rhythm. A window panel is proposed for all the accommodation windows which is a functional requirement of the design providing guarding to the window opening.

Trees

- 3.45 Policy EN 15 *Biodiversity and Geological Conservation* outlines the Council's objective to protect and conserve the City's existing trees and woodlands and the aim for a net increase in trees across the City. Policy EN 8 *Adaption to Climate Change* supports increased tree cover in development to reduce impacts of climate change.
- 3.46 None of the trees with root protection areas that extend into the site are subject to a TPO. An arboricultural impact assessment (AIA), prepared by GM Trees has been submitted as part of the planning application and confirms the health of trees adjoining the site.
- 3.47 The arboricultural impact assessment reports that no tree loss will take place because there are no trees present on the application site. A new sustainable landscaping proposal prepared by TPM Architects will increase the potential of the site to contribute to local amenity beyond the short term.
- 3.48 An arboricultural method statement (AMS), also prepared by GM Trees, has been submitted as part of the application. This advises of the appropriate methods which should be undertaken during the construction phase to avoid any harm to the root protection area of the trees adjoining the site.
- 3.49 On the basis on the findings set out in the AIA and methods set out in the AMS, the proposal is considered to be in accordance with Core Strategy policy EN 15.

Landscaping

- 3.50 A landscape masterplan and planting strategy is submitted. Hard and soft landscaping design reflects the city centre edge location and functionality in regard to the nature of the uses proposed, allowing for appropriate ongoing maintenance.
- 3.51 The landscape masterplan and planting strategy includes appropriate soft and hard landscaping features which complements the built form, uses and local character of Carmoor Road. There are four distinct areas characterised for the landscaping strategy: Carmoor Road; Autumn Street; Central Courtyard; and North Courtyard. New trees will be planted to increase the number on the site, in the interests of maximising the positive impact on private and public realm and delivering an environmentally responsible redevelopment of the site. The soft landscaping will feature some ornamental planting and native trees and hedges. The hard landscaping consists of a variety of pre-cast paving. Street furniture is also proposed in the form of bench seating with planters, a raised timber deck, cube seating and picnic tables.
- 3.52 Overall, the landscaping strategy responds positively to the site context and to local development plan policy and material considerations including national planning guidance on design and landscaping. Complementing the high quality of development design.

Amenity Space

- 3.53 Residents will have access to internal and external amenity spaces including dedicated spaces for working, socialising and exercising. Courtyards between the buildings provide for communal external amenity space. Project architect Lechler Hayes has designed the scheme with the objective of achieving a proposal that includes outdoor communal space designed to promote well-being, and which is set within engaging surroundings and with the potential to create a feeling of privacy, safety and inclusiveness.
- 3.54 The amenity space provided as part of the development encourages meeting spots for future residents. Internally on the ground floor, there is a fitness suite and social amenity space for residents to enjoy. Externally, a proposed decked seating within the entrance courtyard will be enclosed with surrounding trees and planting, creating a pleasant space for seating and socialising. Table and seating at the north courtyard space allows for quieter areas amongst planting as well as meeting spots for residents. Raised planters with timber seating surrounded by lush green planting will create a connection to natural environment within a tight urban space of the courtyard. The various shapes of the planters will propose different character areas.
- 3.55 Total internal amenity area: 139m². Total external amenity area: 437m².
- 3.56 The site is proximate to Whitworth Park which offers a well maintained, diverse green space which is already well used by the local community including the existing local resident student population. Swinton Grove Park is also easily accessible from the site. Future student residents would also be able to make use of these local parks.

Ecology

- 3.57 Policy EN 15 *Biodiversity and Geological Conservation* seeks to maintain or enhance sites of biodiversity and geological value throughout the City. The policy notes that developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on-site or adjacent to the site, contributing to linkages between valuable or potentially valuable habitat areas where appropriate.
- 3.58 In this regard, a preliminary ecological appraisal prepared by Verity Webster is submitted with the planning application. Due to the limited preliminary findings of the report, there are no further report recommendations for badgers, reptiles, great crested newts, common toad, invertebrates, red squirrels and otters. There were no invasive plant species, including Himalayan balsam, Japanese knotweed and giant hogweed were found on site at the time of survey. There were two nesting birds recorded onsite. The report advises that the proposals are considered very unlikely to have any negative impact upon bird populations in the locality. Avoidance mitigation during works to prevent harm to birds nesting in the spring and summer months is recommended. The proposals provide the opportunity to enhance the ecological functionality of the site for nesting birds including bird boxes for instance and recommendations for ecological enhancements have been incorporated, where possible, into the landscape design.
- 3.59 A bat survey report took place in September 2022 and is submitted with the application. It concludes that the survey results from 2020 remain valid and that a single emergence survey is recommended to be undertaken on the nursery building between May and August 2023. It is noted that if bats are found during the survey, then mitigation for the bats must be undertaken during the demolition phase. Bat boxes are also recommended.
- 3.60 Considering the findings and recommendations set out in the reports and their incorporation where required into the scheme, the proposed development is in accordance with Core Strategy policy EN 15.

- 3.61 Biodiversity Net Gain (BNG) is targeted for the proposed development. A Biodiversity Net Gain Assessment completed by Verity Webster is submitted with the planning application. The report concludes that following the development there will be a:
- 24.34% increase in Habitat Units; and
 - 100% increase in Hedgerow Units following the implementation of the proposed habitat creation.
- 3.62 This BNG represents a significant improvement over existing conditions and will result in a significant ecological benefit for both the site and the wider local areas.

Sustainability

- 3.63 Policy EN4 *Reducing CO2 Emissions by Enabling Low and Zero Carbon Development* of the Core Strategy seeks to reduce fuel poverty and decouple growth in the economy, growth in CO2 emissions, and rising fossil fuel prices. Policy EN6 *Target Framework for CO2 Reductions from Low or Zero Carbon Energy Supplies* seeks that all applications over 1,000 sq. m will be expected as a minimum to meet the targets set out in policy. Policy EN8 *Adaptation to Climate Change* seeks all new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces.
- 3.64 An environmental statement, prepared by Futureserv accompanies the planning application. The statement sets out that the proposed scheme has been demonstrated to be aligned with the energy efficiency requirements and carbon dioxide emission reduction targets within the Core Strategy policies EN4 and EN6. A commitment is made to achieving at least 1.56% building emission rate reduction relative to the current Part L (2021) compliance standard. This equates to a 40.56% improvement over Part L 2010. The report also sets out that the proposal's enhanced 'fabric led' material specification, alongside its high quality design and construction standards are to improve the energy efficiency of the building. In addition, the proposed development will be designed and specified in accordance with the principles of the energy hierarchy in line with the adopted Core Strategy Policy EN 4
- 3.65 The proposed development will employ sustainable development provisions throughout to meet the sustainability objectives of local and national policy and guidance, and for the benefits of future occupiers. The proposed development will target BREEAM 'Excellent' with a focus on reducing carbon emissions, sustainability and wellbeing.
- 3.66 The proposal plans to incorporate sustainable measures to ensure it fully adheres to development plan policy regarding energy efficiency. Given the declaration of the climate emergency in July 2019, in working up the scheme the proposal has included to significant sustainable measures to positively aid the reduction of climate change. It is considered that the environmental statement submitted demonstrates that the design of the proposed development is in accordance with policies EN4, EN6 and EN8 of the Core Strategy.
- 3.67 Core Strategy policy EN9 *Green Infrastructure* encourages new development to consider the incorporation of green roofs, green walls, tree planting and other forms of tree infrastructure to allow for the adaption to climate change in heavily urbanised areas. Measures consistent with these expectations are incorporated into the scheme alongside a detailed landscaping scheme to maximise potential contribution to sustainability.
- 3.68 The proposal will support the sustainable supply of student accommodation in Manchester and will positively assist with promoting sustainable neighbourhoods in the city.
- 3.69 There is a logical approach adopted with regard to the proposed access and movements of the scheme for those living in the PBSA units is consistent with the principles of sustainable development.

- 3.70 Due to its highly sustainable location, the development is envisaged as being largely car-free. It is expected that the absence of parking (save for accessible spaces) will encourage the use of bicycles and the highly accessible high frequency public transport links serving nearby Upper Brook Street.
- 3.71 A secure resident's cycle store and on-street cycle stand provision is anticipated as providing cycle spaces for students and for visitors to the student accommodation.
- 3.72 A framework travel plan is prepared and submitted with the planning application.
- 3.73 The proposed development will be subject to a sustainable drainage strategy (SuDS). The strategy is submitted alongside the planning application. The drainage strategy details that the site will be restricted to 2 l/s which is as close to greenfield as can practically be achieved as lower discharge rates would require orifice plates lower than 50mm. Implementation of a detailed drainage strategy is expected to be the subject of a condition attached to any planning permission granted. The submission demonstrates that the proposed development is consistent with the criteria set out local development plan policy, and specifically policy EN14 and EN17 of the Core Strategy.

Noise

- 3.74 Policy DM1 *Development Management* of the Core Strategy sets out that all development should have regard to specific issues which include the effects of noise and development where a new use might be sensitive to existing noise conditions. Policy CD26 *Development and Noise* of the UDP broadly reflect this and seeks to ensure that there is not any adverse impact from noise pollution.
- 3.75 An acoustic assessment report is submitted by MZA Acoustics to inform determination of the planning application. Having regard to local development plan policy, the noise assessment undertaken has adopted minimum recommended parameters for the proposed development to test its compatibility with surrounding land uses which are potentially more vulnerable to noise impact. The assessment sets a base level for noise levels to ensure that the development once operational does not generate unacceptable nuisance or noise pollution. These principles have informed advice on the design of the proposal, and it is anticipated that an overarching condition in respect of ensuring that there is no adverse impact on noise sensitive receptors will be attached to any planning permission granted.
- 3.76 The report concluded that the proposed development falls within the low-risk category regarding ProPG guidance, noise effects can suitably be managed and the use of good acoustic design being a principal consideration throughout the project life.
- 3.77 The proposal has considered the advice set out in the assessment and will adhere to these thresholds. Given this, the proposal is considered compliant with Policy DM 1 of the Core Strategy regarding noise impact.

Contamination

- 3.78 Policy EN 18 *Contaminated Land and Ground Stability* of the Core Strategy seeks priority for the remediation of contaminated land to strategic locations. Any proposal for development of contaminated land must be accompanied by a health risk assessment. All new development within former mining areas shall undertake an assessment of any associated risk to the proposed development and, if necessary, incorporate appropriate mitigation measures to address them. Policy DM1 is also relevant.
- 3.79 In response to policy requirements, a phase 1 desk top study report, prepared by Whitby Wood is submitted. The report concluded the risk of contamination to the site is moderate based on this desk top study exercise is mainly due the existing use on site. The study advises an intrusive investigation of the geological conditions is required to accurately determine the ground conditions and inform future foundation design. A programme of groundwater and ground gas monitoring is recommended as part of the report. The ground investigation is

advised to be undertaken following the clearance of the site. It is anticipated that some minor remedial measures may be necessary depending on the nature of the ground conditions.

- 3.80 A geo-environmental appraisal (Phase II) will be undertaken before the commencement of invasive development work onsite. It is anticipated that any recommendations, alongside the need for Phase II works to be completed post-demolition of existing structures on the site, will be subject of conditions attached to any planning permission granted. It is also expected that the verification of any remediation measures will similarly be the subject of conditions attached to any planning permission granted.
- 3.81 Based on the above, the proposed development is considered to be in accordance with Policy DM 1 and Policy EN 18 of the Core Strategy.

Accessibility

- 3.82 The development is designed to provide a number of accessible units, achieving Part M compliance, with level access provision and accessible on-street parking.

Designing out crime

- 3.83 A Crime Impact Statement (CIS) prepared by Greater Manchester Police (GMP) gives due consideration to the development for which planning permission is now sought. These measures are included where possible to ensure of safety throughout the site. Where it is not possible or feasible to address points raised, the design team has sought to provide justification on why addressing the recommendations was not possible, and/or advised of an alternative solution considered and incorporated.

Construction management

- 3.84 A submitted framework construction management plan (FCMP) prepared by the applicant includes details of both on and off-site activities during the construction phase and it is expected that an agreed CMP will be the subject of a condition attached to any planning permission granted.

4.0 PBSA provision and regeneration

Encouraging alternative uses

- 4.1 Paragraph 123 of the Framework sets out that local planning authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, local planning authorities should support proposals to:
- a) *use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework; and*
 - b) *make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality-of-service provision and access to open space.*
- 4.2 Paragraph 93(e) of the Framework sets out that, to provide the social, recreational and cultural facilities and services the community needs, planning decisions should ensure an integrated approach to considering the location of housing, economic uses and community facilities and services. The proposed development is exactly this, demonstrating a pragmatic and integrated approach.

Ardwick regeneration

- 4.3 The proposed development would bring about significant regeneration benefit for the immediate Carmoor Road locality and wider Ardwick area. The proposed development would act as a catalyst for further regeneration locally and would be an important element in the ongoing transformation of the central area of Manchester outside of the city centre. There is a clear opportunity to make good use of an underutilised brownfield site to provide a new purpose-built high quality student accommodation.
- 4.4 The proposed development is also consistent with regeneration objectives for the Oxford Road Corridor. There is strong justification for maximising commercial and education uses in the Oxford Road Corridor. This will likely require the delivery of purpose-built student accommodation in other sustainable locations proximate to university sites. Carmoor Road will meet both the objective of delivering PBSA outside of the Oxford Road Corridor and allowing for a focus on commercial and education uses being developed in the Corridor.
- 4.5 Redevelopment of the site for PBSA will assist with the shortage of available sites that now exists within the Oxford Road Corridor. This site is a strong location for PBSA and consistent with broader development objectives for Ardwick, and the wider arc of regeneration through south and east Manchester.
- 4.6 The site is in a sustainable location with proximity to the universities and its redevelopment will have a positive regeneration impact both in the immediate area and in supporting the overall urban renewal priorities of Manchester City Council.

Purpose built student accommodation (PBSA)

- 4.7 PBSA is without a concrete definition in planning policy and guidance, save for reference in paragraph 65 of the Framework which exempts purpose-built accommodation for the elderly or students from the 10% affordable home ownership requirement for major residential developments. There is also reference at paragraph 62 of the Framework to providing the size, type and tenure of housing needed for different groups including students. Beyond this, PBSA is generally accepted to mean a large scale purpose-built managed rental block, comprising small private living units, in both cluster unit and studio format, with

communal facilities, typically under single professional management. Traditionally the domain of university institution, this is increasingly delivered by the private sector.

- 4.8 The Planning Practice Guidance (PPG) sets out that local planning authorities should plan for sufficient student accommodation whether it consists of communal halls of residence or self-contained dwellings, and whether it is on campus. It states that encouraging more dedicated student accommodation may provide low-cost housing that takes pressure off the private rented sector and increases the overall housing stock. The PPG encourages plan makers to consider options which would support both the needs of the student population as well as local residents.
- 4.9 The proposed PBSA is in an appropriate location proximate to the Oxford Road Corridor and the city centre, whilst at the same time assisting with the objective of taking the pressure off the private rented sector.
- 4.10 The Carmoor Road site is ideally suited to playing a role in meeting the need for additional PBSA necessary to ensure that the range and quality of student accommodation available in Manchester is commensurate with the high quality of educational opportunities available. The site is in a prime location, close to the city centre, the Oxford Road Corridor and the Manchester University NHS Foundation Trust hospitals.
- 4.11 An existing PBSA development known as Liberty Park adjoins the site. Host (formerly Victoria Hall), which is an affiliate company of Tiger Developments, built and originally operated this development prior to it entering the Unite Students Liberty Living accommodation portfolio.
- 4.12 The site has the potential to contribute to wider regeneration in Ardwick, consistent with the objectives of the wider Central Manchester Regeneration Framework. A PBSA development will also assist with the delivery of an increased supply of centrally located student accommodation, relieving some of the pressure on sites in the Oxford Road Corridor and helping with the return of HMOs across south Manchester suburbs to the general housing stock.

The development plan and purpose-built student accommodation (PBSA)

- 4.13 Relevant development plan policy is contained within the Core Strategy (adopted in July 2012). There is a specific Core Strategy policy (policy H12) regarding PBSA, which is to be read in context with the more recent interim policy on PBSA adopted by the Executive Committee of Manchester City Council in December 2020. The Core Strategy also references an influx of students to Manchester:

'...population growth, combined with the additional influx of students, key workers and young professionals from the university and hospital core, has created localised areas of high housing demand and a range of busy district centres, such as Rusholme and Longsight.' (Paragraph 2.60)

- 4.14 Core Strategy Policy H12 states that:

'The provision of new purpose-built student accommodation will be supported where the development satisfies the criteria below. Priority will be given to schemes which are part of the universities' redevelopment plans, or which are being progressed in partnership with the universities, and which clearly meet Manchester City Council's regeneration priorities.'

- 4.15 The ten criteria of policy H12 are addressed in Table 4.1.

1) Sites should be in close proximity to the University campuses or to a high frequency public transport route which passes this area.	The application site is proximate to the Oxford Road Corridor and principal buildings of both universities. Key distances are: – 565 metres to Oxford Road Corridor equating to <10-minute walk or <5 minute cycle;
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	– 1.2 kilometres to the University of Manchester Student Union equating to <20-minute walk or <10 minute cycle; – 1.8 kilometres to Manchester Metropolitan University Campus equating to <30-minute walk or <15 minute cycle – Nearby Upper Brook Street (70 metres or <1 minute walk) is part of a high frequency bus route connecting Didsbury, universities and the city centre. The Deansgate Appeal decision ref: APP/B4215/W/21/32875250 (discussed in detail below) at paragraph 39, the Inspector is clear that a walking distance of 25 minutes from accommodation to university is entirely reasonable for an able-bodied person: <i>'The Appellant has researched likely walking routes to the UM and MMU campuses and has provided estimates of walking times to these campuses. The timings are not precise because much depends on who is walking but it is not unreasonable for an able-bodied student to walk for about 25 minutes from their accommodation to their university. It is also worth noting that the students would have an alternative sustainable means of travel. The appeal site may not be on a direct bus route to the campuses, but Chester Road/Deansgate is a main arterial bus route and two bus trips, one from the accommodation to the transport hub on Oxford Street in the city centre and one from there to the campuses, would take about the same time as walking.'</i> Policy requirement 1) is satisfied.
2) The Regional Centre, including the Oxford Road Corridor, is a strategic area for low and zero carbon decentralised energy infrastructure. Proposed schemes that fall within this area will be expected to take place in the context of the energy proposals plans as required by Policy EN 5.	The application proposal is to be designed and constructed to far exceed the minimum standards laid down by current Building Regulations, Part L2A, 2022. The development will also target a BREEAM 'Excellent' rating. Policy requirement 2) is satisfied.
3) High density developments should be sited in locations where this is compatible with existing developments and initiatives, and where retail facilities are within walking distance. Proposals should not lead to an increase in on-street parking in the surrounding area.	The proposed development will be complementary to the existing student accommodation adjacent to the site and other uses in the immediate area, such as commercial premises on Upper Brook Street. The site is located within walking distance of retail facilities on Oxford Road and Hathersage Road. The application proposal does not include any on-site car parking, and off-site provision of accessible spaces is limited to a proposal for two spaces located on Carmoor Road. Students have low rates of car ownership and rental contracts will stipulate that no provision is made for vehicle parking. The

	university campus areas are accessible either on foot or bicycle or by public transport, using the readily available high-frequency public transport network. The cycle hire scheme will encourage sustainable travel choices and ensure that all students have access to a bicycle. Student will not be eligible to apply for local parking permits. It is not expected that the proposed development will lead to any material increase in on-street parking locally. Policy requirement 3) is satisfied.
4) Proposals that can demonstrate a positive regeneration impact in their own right will be given preference over other schemes. This can be demonstrated for example through impact assessments on district centres and the wider area. Proposals should contribute to providing a mix of uses and support district and local centres, in line with relevant Strategic Regeneration Frameworks, local plans and other masterplans as student accommodation should closely integrate with existing neighbourhoods to contribute in a positive way to their vibrancy without increasing pressure on existing neighbourhood services to the detriment of existing residents.	Key regeneration benefits of the proposal are: – Redevelopment of a site within the central area of Manchester that offers potential for much greater land use efficiency. – Positive contribution to the much-needed supply requirement of PBSA in Manchester (raised in the Deansgate South appeal decision ref: APP/B4215/W/21/32875250 and Wilmslow Road appeal decision ref: APP/B4215/W/21/3286831). – Significant direct and indirect investment in the immediate area to the benefit of the local economy. – Anticipated university support for the proposed development and its overall contribution to a redefining of student accommodation supply in Manchester, allied to wider regeneration strategies of the Council, education institutions and others. The approach means that the development is expected to come forward with university backing. – Positively contribute to student accommodation supply in South Manchester and reduce student reliance on Housing in Multiple Occupation (HMOs) in line with the Council's objectives. – Provision of affordable student accommodation, allowing for greater accessibility for diverse range of students. – Site has sustainable regeneration credentials as it is proximate to the university and to the Upper Brook Street high bus route. – A density of development which is consistent and compatible with existing developments and a layout and design that maximises efficiency in the use of space. – Facilitating the relocation of the garage, which would allow their operations to continue in purpose built or tailored accommodation. – Enhancing the appearance of the site, improving connectivity and prioritising social wellbeing. Policy requirement 4) is satisfied.
5) Proposals should be designed to be safe and secure for their users and	The proposed development is consistent with secure by design principles. The PBSA proposed development will be protected through secure access and a 24 hour on-site management

avoid causing an increase in crime in the surrounding area. Consideration needs to be given to how proposed developments could assist in improving the safety of the surrounding area in terms of increased informal surveillance or other measures to contribute to crime prevention.	regime. The perimeter of the site will be secured with access control doors and gates. Outdoor amenity space is intended for the private use of student residents. The proposal will seek to maximise the safety and security of those on-site. The significant increase in footfall together with public realm improvements and uplift in the resident population in the local area improve natural surveillance and should assist with engendering an increased sense of safety and security. This will work in tandem with the on-site management regime. The applicant has sought advice from Greater Manchester Police architectural liaison officers, to ensure that its proposals for the development are consistent with best design practice in the interests of designing out crime. Policy requirement 5) is satisfied.
6) Consideration should be given to the design and layout of the student accommodation and siting of individual uses within the overall development in relation to adjacent neighbouring uses. The aim is to ensure that there is no unacceptable effect on residential amenity in the surrounding area through increased noise, disturbance or impact on the streetscape from the proposed development itself or when combined with existing accommodation.	Host (the PBSA provider affiliated with the applicant Tiger Developments) has a long-established track record of PBSA provision. Host had in excess of 10,000 student beds under management across the UK and will have the long term interest as the ultimate operator. Host was responsible for the successful delivery of the Liberty Park development (originally Victoria Hall), on Upper Brook Street and adjacent to the site, prior to that accommodation passing to Unite. To this end, it has the experience and track record to bring confidence that it will work to ensure a harmonious relationship with adjoining land uses and the wider Carmoor Road and Ardwick area. Councillor Priest provides testament to this: <i>'I know that the design and operation of the new building will have much in common with the Victoria Hall building next door, and this gives me a good deal of comfort because having been a local councillor since before it was built, I can tell you that I have never once had to deal with a problem from that building.'</i> Host invests in an area for the long term, and so it is an integral part of its business model to be a considerate operator with the interests of the local community at heart. Both the design and the operation of the proposed development will seek to ensure that the living experiences of both students and existing residents in the Carmoor Road area are positive and contribute to an objective of continuing improvement in the environment enjoyed by the local Ardwick community. The orientation of the proposed development is intended to maximise natural surveillance and linkages between Carmoor Road and Upper Brook Street. The design of the proposed development pays due regard to existing residents locally and the future living experiences of the student population and those living around the PBSA development. The form and massing of the buildings as well as

	the fenestration design have been carefully arranged to control overlooking into the adjacent terraces, existing Brook Hall student accommodation and the community centre. The detailed design pays due regard to the findings of technical assessments including air quality and acoustics. On-site noise will be controlled through requirements in tenancy agreement. Tiger Developments Limited and Host provide a building management strategy for its schemes which includes its expectations and measures. Overall, the applicant is confident that its proposed development can have a positive impact on amenity locally. Policy requirement 6) is satisfied.
7) Where appropriate proposals should contribute to the re-use of Listed Buildings and other buildings with a particular heritage value.	None of the buildings are of any particular architectural merit and none are subject to statutory protection. The nearest statutorily listed asset (Victoria Baths on Hathersage Road) is some distance away. The application site is not within a conservation area. It is situated some 250 metres north of Victoria Park conservation area. Policy requirement 7) is not relevant to the current proposal.
8) Consideration should be given to provision and management of waste disposal facilities, that will ensure that waste is disposed of in accordance with the waste hierarchy set out in Policy EN 19, within the development at an early stage.	The applicant is fully aware of the economic and environmental benefits that well designed and run, waste management facilities can bring. Tiger Developments Limited fully expects its student communities to take responsibility for waste created and use the accessible waste management and recycling facilities provided. The applicant is also cognisant of good waste management practices and the need to have full regard to the environmental, social and economic impacts and encourage long-term benefits in improving the environment, the regeneration of areas in need of investment and co-location of uses. A proposed refuse store connects to Carmoor Road frontage. Refuse vehicles are to use the lay-by adjacent to the building on Carmoor Road. A refuse vehicle access strategy is part of a wider servicing strategy that the project team highways consultant is developing for the applicant. The applicant is also developing a waste strategy and waste management plan consistent with the principles of the waste hierarchy set out in Policy EN 19 (prevention, reduction, re-use, recycling/composting, energy recovery, final disposal). Sustainable modes for waste transport will be adopted where possible. Policy requirement 8) is satisfied.
9) Developers will be required to demonstrate that there is a need for additional student accommodation or that they	A significant material consideration is an interim local policy approach to PBSA endorsed by the Executive Committee of Manchester City Council (Executive Committee) in December 2020.

have entered into a formal agreement with a university, or another provider of higher education, for the supply of all or some of the bedspaces.	In referring to the potential impact of the interim policy on achieving a zero-carbon target, the report states that the <i>'...revised approach to Purpose Built Student Accommodation will only consider development of new accommodation in close proximity to the University campuses, reducing the need to travel, and thus minimising carbon emissions. Green travel plans will also be encouraged. There is also a key ambition to increase the quality of accommodation, which will be required to meet high standards of sustainability that contribute to achieving the zero-carbon target'</i>. (Introductory Section – Environmental Impact Assessment). Part of the justification for the proposed development (the need set out in policy requirement 9) is reducing the need to travel through accommodation in close proximity to university campuses. The report to Executive Committee refers to an earlier November 2019 report to Executive Committee, which <i>'...set out a number of issues and considerations regarding purpose-built student accommodation in Manchester, which would need to be considered in developing a policy position, as part of the review of Manchester's Local Plan. This was in response to the significant changes in both the demography (make up and location) and needs of the student population, and the wider development context, since the adoption of the Student Strategy, the Core Strategy and Policy H12.'</i> (Paragraph 2.1) Part of the justification for the proposed development (the need set out in policy requirement 9) is meeting the changing needs of the student population in the city. The report to Executive Committee continues (paragraph 3.1c / 3.1h) that: <i>'As shown by the evidence, Manchester is one of the most expensive cities in the UK for PBSA. <u>A more diverse pipeline of new PBSA is now needed to help stabilise rental growth. It is critical to ensure there is a residential market, which meets the needs of students at an affordable price.</u></i>' (Our emphasis) <i><u>'Density of student accommodation will be essential to deliver the level of new high-quality accommodation needed within the context of scarce land availability both in the Oxford Road Corridor area and the wider city centre.'</u></i> (Our emphasis) There is a need to replace existing poor-quality stock and paragraph 7.5 of the report to Executive Committee refers to this:
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	<i>'Consideration should also be given to the fact that <u>future PBSA developments will not only provide accommodation needs for increasing numbers of students but will also replace existing poor-quality stock.</u>' (Our emphasis)</i> It is important to include reference to the conclusion of the report to Executive Committee on the impact of the Covid-19 pandemic: <i>'Whilst there might be a short-term dip in the number of students taking up places as a result of the Covid-19 pandemic... it is expected that <u>numbers will continue to remain strong over the medium term, indicating a need for accommodation close to the university campuses.</u> (Our emphasis) There has been an increase of people living and wanting to live in the city centre, and their needs must be balanced with the needs of new students and the needs of communities in South Manchester, to support diverse communities and good quality housing options for all residents.'</i> (Paragraph 6.8) In addition, the much-needed supply requirement of PBSA in Manchester was raised in the recent Deansgate South appeal decision ref: APP/B4215/W/21/32875250 and Wilmslow Road appeal decision ref: APP/B4215/W/21/3286831. Tiger Developments Limited has formally engaged with University of Manchester and they have expressed support for the PBSA proposal. Appendix 1 is a letter of support from the University of Manchester in respect of PBSA development at the Carmoor Road site. Policy requirement 9) is satisfied.
10) Applicants/developers must demonstrate to the Council that their proposals for purpose-built student accommodation are deliverable	Host (the PBSA provider affiliated with the applicant Tiger Developments) has a track record of successfully delivering high quality PBSA development in multiple locations across the UK, including Victoria Hall (now Liberty Park) which is adjacent to the application site. Tiger Developments Limited has every confidence that it will deliver on its proposals for a high-quality scheme, additional PBSA accommodation in a location proximate to university facilities. Policy requirement 10) is satisfied.

The interim policy position for purpose-built student accommodation (PBSA)

- 4.16 A December 2020 report to the Executive Committee of Manchester City Council (the Executive) reported on *outcome of a consultation exercise with key stakeholders, on purpose-built student accommodation (PBSA) in Manchester. In addition, this report seeks the Executive's approval to use the outcomes to further inform a policy approach to purpose-built student accommodation in Manchester.* The December 2020 report responds in part to a series of earlier reports to committees of the council, which have guided past policy, and changing circumstances in the student accommodation sector. The reports comprise:

- Manchester Student Strategy - Report to Communities and Neighbourhoods Overview and Scrutiny Committee, 19th May 2009;
- Student Strategy Implementation Plan – Report to Executive, 21st October 2009;
- Manchester Residential Growth Strategy and Action Plan 2016/17 – Report to Executive, 2 March 2016;
- Corridor Manchester Strategic Spatial Framework - Report to Executive, 7th March 2018;
- Manchester Science Park (MSP) SRF update - Report to Executive, 14th November 2018; and
- Report to Executive - 13 November 2019 - Consideration of Policy H12: Purpose Built Student Accommodation Within the Changing Market Context,

4.17 It is also informed by:

- The Manchester Core Strategy - Adopted on 11th July 2012;
- Manchester Science Park Strategic Regeneration Framework Update - August 2018; and
- Oxford Road Corridor Strategic Regeneration Framework Guidance - November 2018

4.18 The Executive agreed to endorse the approach to PBSA, and that it be a material consideration in decision making ahead of it informing the review of the local plan:

The Executive is recommended to:

1. *Note the outcome of the consultation exercise with key stakeholders on purpose-built student accommodation.*
2. *Endorse the approach set out in the report to help guide the decision-making process in advance of the review of the Local Plan and request the Planning and Highways Committee take this approach into material consideration until the Local Plan has been reviewed.*

4.19 Reference is made, in the December 2020 report to the Executive, to the link between PBSA strategy and economic success, setting out that Manchester is widely recognised as being in the top tier of international cities for higher education, rich in research excellence and innovation that is helping to drive the economy and generate jobs and growth. It emphasises the importance of the student population in the city:

'The resident student population makes an invaluable contribution to the city's economy, diversity and vibrancy whilst they study here. Graduates from Manchester's universities are one of the core assets underpinning a broad based, high skilled economy and the driving force behind some of Manchester's most valuable growth sectors in advanced manufacturing, health and life sciences. Manchester Universities have a high retention rate of students, with over 50% of students staying in the city after graduating.' (Paragraph 1.3)

4.20 Reference is also made to the need to protect the development assets of the Oxford Road Corridor. This is said to be:

'...vital to capture the commercial potential of research and innovation and help to realise the economic potential of the Corridor.' (Summary section)

'In response to the concern of "over development" in the Oxford Road Corridor, the area has been a designated Enterprise Zone (EZ) since 2016. Recent development is reflective of a world class, innovative location, currently generating £3billion GVA per annum, providing 60,000 jobs of which half are within knowledge intensive sectors, and is consequently one of the most important economic districts in the city. The value of this new development must not be underestimated in terms of the overall growth of, and talent retention, in the city.' (Paragraph 6.10)

4.21 Section 8.0 of the December 2020 report sets out the recommendation that the **Council adopts the approach set out in the report as context for the application of Core Strategy policy H12** ahead of a new local plan being adopted as development plan policy.

4.22 The December 2020 report sets out that:

'It is, therefore, recommended the City Council adopts the approach set out in this report as context for the application for Policy H12, in advance of the Local Plan review and update in 2023. The impact of any new purpose-built student accommodation proposal will be monitored and appraised, and outcomes from these evaluations will feed into the future review of the Local Plan. This approach supports the current policy position in that regeneration remains a critical consideration'.

4.23 Appendix 2 of the December 2020 report includes a schedule of principles, which are now to be employed in the application of Policy H12. Paragraph 6.12 of the December 2020 reports states that:

*'In balancing the views of HEI's, developers, students and residents, along with current policies and standards, it is considered that **the principles set out in the report to the November (2019) Executive remain appropriate as providing the context for the application of Policy H12.** (Our emphasis) For ease of reference the principles are attached at Appendix 2. The principles will be kept under review as applications come forward, and a formal review of the policy can be developed and tested through the review of the Local Plan. It is also proposed that any new PBSA developments should be designed in such way that they can be easily adapted in response to changing circumstances and requirements. The current context (see below) should also be considered'.*

4.24 The principles of Appendix 2 are considered in turn:

- **Supporting regeneration objectives** – The positive regeneration benefits of the proposed development are set out above, in responding to the criteria established by Core Strategy policy H12. It is clear that the proposed development will make a significant contribution to regeneration in the central area, in Ardwick and proximate to the city centre and the Oxford Road corridor. There is no doubt that the proposed development will help support employment growth, graduate and talent retention, place making and the city's international reputation. The proposed development supports the wider regeneration objectives of the Oxford Road Corridor Spatial Framework. Whilst the application site sits outside of the Corridor, it is providing high quality PBSA close to it in support of the objective that land in the Oxford Road Corridor should prioritise commercial or educational/ research use, in order to maximise the growth potential;
- **Affordability** – Appendix 2 identifies that Manchester is one of the most expensive cities in the UK for PBSA and that a more diverse pipeline of new PBSA is needed to help stabilise rental growth. The proposed development will help address this. It goes on to say that more studio-style accommodation, or a product similar to the shared apartment scheme being developed at River Street may provide examples of how more affordable PBSA could be delivered. The proposed development responds to this directly by proposing a mix of studio and cluster units. The affordability principle rightly points out that the city cannot allow affordability to impact on the ability to attract and retain students from a range of backgrounds, and/or prohibit them from living in areas close to the university campuses. The applicant is committed to a proportion of affordable units and is in discussions with University of Manchester affordable provision.

- **Quality** – It is reported that the overall quality of PBSA stock in Manchester is poor compared to other cities. It refers to an appraisal by Cushman and Wakefield which found that Manchester has fewer high-quality rooms compared to the UK average (15% vs 23%) and more low-quality rooms than average (39% vs 33%). It goes on to say that accommodation is considered to be less sustainable where: it is a greater than 20-minute walk to campus (Deansgate Appeal decision ref: APP/B4215/W/21/32875250 advised the walking distance acceptability of 25 minutes from accommodation to university); room quality is below average; and there is below average quality common space. Responding to this, the proposed development is proximate to higher education institutions and within 20 minutes' walk of campus. It will be high quality, highly accessible and will offer strong and sustainable connections with the universities in Manchester. Project architect Lechler Hayes has paid due regard to the expectation that PBSA should be informed by a need to look after the overall wellbeing of students, including generous living space, communal spaces and public realm. Both room quality and amenity space will be to a very high standard, and significantly above average quality.

Appendix 2 sets out that:

'New stock in appropriate locations represents an opportunity to deliver an improved student experience, which better reflects Manchester's institutions, and its educational reputation overall, and also helps to contribute to sustainability targets'.

'PBSA should be within or immediately adjacent to Oxford Road Corridor'.

The proposed development is in an appropriate location, it will deliver, and improved student experience and it will support to role and objectives of the universities in Manchester.

Whilst the development is sufficiently flexible in format to allow for re-purposing at some future time, this is not a genuine consideration for the applicant given its long-term involvement with student accommodation that it brings forward.

- **Wellbeing, safety and security** – The applicant is committed to delivering a safe and secure development, in a highly environmentally sustainable manner that has at its heart the welfare and wellbeing of students. Already discussed is proximity to the Oxford Road Corridor and the universities of Manchester, consistent with the expectation that accommodation is provided close to university facilities. The applicant is highly experienced in PBSA development and will deliver and operate the proposed development in a way that seeks to ensure that this is a safe and secure location for students to live in. The applicant is fully aware of the three codes of practice required for higher education providers, which aim to ensure that accredited student accommodation is safe, of good quality and reputable (*The Universities UK/GuildHE Code of Practice for University Managed Student Accommodation; The ANUK/Unipol Code of Standards for Larger Residential Developments for Student Accommodation Managed and Controlled by Educational Establishments; and The ANUK/Unipol Code of Standards for Larger Developments for Student Accommodation NOT Managed and Controlled by Educational Establishment*). The principles of these three codes of practice are reflected in the proposal for Carmoor Road.

- **Density** – Appendix 2 sets out that density of student accommodation is essential to deliver the level of new high-quality accommodation needed within the context of scarce land availability both in the Oxford Road Corridor area and the wider city centre. The introductory section to this planning statement confirms that this proposal is for a high, but appropriate density consistent with the expectations of the interim policy in this regard.
- **Location** – Appendix 2 sets out that purpose-built student accommodation should be located in the areas immediately adjacent to the core university areas, principally the Oxford Road Corridor area. The proposed development meets with this locational expectation:

‘This may include parts of surrounding neighbourhoods such as Hulme and Ardwick which are immediately adjacent to the university campuses, for example, appropriate sites on Cambridge Street and Upper Brook Street, which accord with the Corridor Spatial Framework’.

The proposed development pays due regard to the principles of the Corridor Spatial Framework and provides a clear opportunity through its investment to support the local Carmoor Road area community, the wider Ardwick area alongside the economic and academic growth of the Oxford Road Corridor.

The application site is well connected, and proximate to universities and the central area of Manchester. The proposed development is designed to be largely car-free and would promote walking and cycling within the Oxford Road Corridor, the city centre, the central area and the suburbs. Nearby Upper Brook Street is part of a high frequency bus route connecting Didsbury, universities and the city centre.

- **Sustainability** – The PBSA criteria includes sustainability in the context of the locally declared climate emergency and a commitment of the City Council to be carbon neutral by 2038. It repeats again that the location of student accommodation should be driven by proximity to university campuses, reducing the need to travel and encouraging sustainable modes of transport. The proposed development is consistent with these aspirations. The development is intended to be largely car-free, consistent with the policy expectation that students are encouraged not to bring vehicles to the city. The proposed development is striving to meet high standard of sustainability including BREEAM rating ‘Excellent’ and carbon reduction in respect of Part L, to help meet the zero-carbon policy that the City Council has. The applicant is also committed to improvements to improving the public realm and connectivity locally, through tree planting and wayfinding to encourage walking and cycling. This is all consistent with the interim policy expectations.
- **Mix of uses** – The focus of this is the right balance of commercial, educational, residential, cultural and leisure uses in the Oxford Road corridor, in order that it can maximise its contribution to the economic growth of the city. There is reference as in the planned approach to PBSA to a presumption that commercial and educational use (not PBSA) will be prioritised. It goes on to say that only a limited amount of PBSA will be considered in the Oxford Road Corridor, in appropriate locations where it can be demonstrated that it will support commercial and educational use and the overall growth and regeneration objectives for the Corridor and the city. The emphasises the need to look beyond the Oxford Road Corridor to meet PBSA needs, the application site is well placed to meet this.

- 4.25 The applicant is aware of the detailed expectations that the interim policy has for PBSA schemes, and that these are guiding decision making locally as a material consideration in the interpretation and application of development plan policy and principally policy H12 of the Core Strategy. In this regard, the applicant is committed to:
- high quality design and sustainability credentials;
 - appropriate scale, massing and density;
 - providing an appropriate mix of cluster flats and private studios, having regard as appropriate to the expectations on providing health levels of private space and share amenity space;
 - long-term involvement with the site and a long-term operational management platform;
 - clear letting conditions and good neighbour tenancy conditions;
 - affordability and an element of affordable cluster flats and studio units made available to the University of Manchester or otherwise made available at an affordable rent;
 - a clear place-making delivery strategy, including open space and commitment to public realm improvements and wayfinding; and
 - a car-free development except for several accessible spaces, consistent with the expectation that parking is not a component of any PBSA scheme and that students are encouraged not to bring cars to the city centre.
- 4.26 The proposed development is a pragmatic response to an evolving sector, proposing PBSA and seeking to deliver this to serve students attending university in Manchester with accommodation in a highly sustainable location that is proximate to the university core. The application site is within the defined central area of Manchester and is clearly in full accordance with what the Council is seeking to achieve in delivery new PBSA accommodation in Manchester. The interim policy is a material consideration, and when read alongside the development plan (particularly Core Strategy policy H12) and what the applicant is seeking to achieve the interim policy helps provide the justification for high quality PBSA accommodation in this location.

Recent Appeal Decisions

Deansgate South Appeal ref: APP/B4215/W/21/32875250

- 4.27 The Deansgate South appeal was allowed on 17 May 2022. The appeal proposal is a 28 storey PBSA development, with capacity for 534 students. The appeal decision is at **Appendix 2**.
- 4.28 There are two points of relevance within the decision to raise in respect of renewed engagement over proposals for the Carmoor Road site:
- the need for additional PBSA units in Manchester: and
 - locations in Manchester where PBSA development might be deemed appropriate and acceptable.
- 4.29 The Inspector states at paragraph 33 that:
- '...the Council accepts, as stated by Mr Ponter¹ in his closing statement, that '...there is a need for the provision of more PBSA...' in Manchester. PBSA accommodation in the city has increased by about 500 bed spaces per annum over the last ten years and Mr Cole, for the Council, stated at the Inquiry that, up to at least 2030, about 660 further PBSA bed spaces per annum would be required to meet demand.'*

¹ Counsel to Manchester City Council

4.30 The appeal clearly sets out that there is ongoing need for delivery of additional PBSA accommodation in Manchester, and that this need is set to continue for at least the next eight years.

4.31 The Inspector sets out clearly at paragraph 34 that:

'Mr Cole provided a note at the Inquiry that sets out the sites identified by the Council for the development of PBSA. The ten schemes would provide 6,610 net new PBSA bed spaces, but only one scheme, for only 62 bed spaces, is currently proceeding on site, one development is on site but has stalled, one has planning permission and one has been submitted for planning permission. The other six schemes are at pre-planning stage or have yet to progress even to this stage.'

4.32 The Inspector continues at paragraph 34 to say that *'There is an accepted quantitative need for the proposed PBSA scheme, and it is not certain that there are enough schemes in the pipeline to meet PBSA demand over the next few years.'*

4.33 The Inspector refers to the appellant having *'...an impressive track record of developing PBSA schemes all around the country'* in placing faith in its conclusion over PBSA need in Manchester. There are clear parallels between Host (Tiger Developments Limited sister company) and the appellant, given that Host is a leader in the delivery of PBSA with a UK-wide portfolio of over 10,000 bed spaces and a reputation for delivering timely, well-designed, high-quality schemes.

4.34 At paragraph 36, the Inspector refers to a demonstrable qualitative need for the proposed PBSA scheme, and an undisputed expected rise in student numbers at the University of Manchester and Manchester Metropolitan University. The Inspector also makes explicit reference to student cohorts who are not generally attracted to living in shared houses and will be attracted to PBSA schemes. A PBSA development at Carmoor Road would help fulfil the same qualitative need, Tiger Developments Limited is proposing to deliver a high-quality scheme tailored to meeting the current market demand in Manchester.

4.35 The Inspector is unequivocal in dealing with the Core Strategy Policy H12 requirement that PBSA should be in *'close proximity'* to the university campuses. The Inspector is clear, in respect of the supporting text defining *'close proximity'* as being within 500 metres, that this is out-of-date and can be disregarded.

4.36 At paragraph 39, the Inspector is clear that a walking distance of 25 minutes from accommodation to university is entirely reasonable for an able-bodied person:

'The Appellant has researched likely walking routes to the UM and MMU campuses and has provided estimates of walking times to these campuses. The timings are not precise because much depends on who is walking but it is not unreasonable for an able-bodied student to walk for about 25 minutes from their accommodation to their university. It is also worth noting that the students would have an alternative sustainable means of travel. The appeal site may not be on a direct bus route to the campuses, but Chester Road/Deansgate is a main arterial bus route and two bus trips, one from the accommodation to the transport hub on Oxford Street in the city centre and one from there to the campuses, would take about the same time as walking. It is likely that this would be a popular method of travel because it would afford the opportunity for students to shop and socialise in the city centre on their journeys to and from the universities.'

4.37 The Inspector acknowledges that the appeal site is not served by a direct bus route to the university campuses. Upper Brook Street, which is easily accessible from Carmoor Road, does offer a direct high frequency bus route to university campus areas and the city centre. Moreover, the university campuses are easily within 25 minutes' walk of Carmoor Road. Given that the Inspector concludes at paragraph 40 that the appeal Deansgate South site is an appropriate location for the proposed development and in close proximity to the university campuses, the same conclusions must be reached in respect of Carmoor Road.

Wilmslow Road Appeal ref: APP/B4215/W/21/3286831

- 4.38 The Oakley, 188 Wilmslow Road appeal was dismissed on 12 July 2022. The PBSA proposal was for 425 bedrooms broken down between clusters (86%) and studios (14%). The proposal was for the *'erection of 1 no. 13 storey building and 1 no. part 4 and part 5 storey building to form purpose-built student accommodation together with a single storey side and rear extension to the retained and refurbished Oakley Villa and conversion to form amenity and communal space.'* The appeal decision is at **Appendix 3**.
- 4.39 The main relevant issues of the appeal are whether the proposal would be in a suitable location with regard to the development plan regeneration and housing policies; and whether there is a need for the proposal as student housing. The other issues are not relevant in the context of this proposal.
- 4.40 The appeal was dismissed based on an unsuitable location with regard to development plan regeneration and housing policies and would have an unacceptable effect on the character and appearance of the area. This site geographically is in a completely different location in south Manchester to the Carmoor site, where strategically the Council is aiming to reduce student housing, with a focus towards the city centre and Oxford Corridor. This is clear at paragraph 24 where it states that the council considers the PBSA *'need is to be accommodated in the city centre and Oxford Road corridor due to the pipeline of such development in those areas want student preference, especially from international students. It also points to a reduction in students in the postcode area where the site is found.'* This commentary alongside the Deansgate South commentary on acceptable travel times to universities clearly sets out that the Carmoor Road is entirely in a suitable location for the principle of PBSA development to be acceptable.
- 4.41 The Wilmslow Road appeal decision is consistent with the Deansgate South appeal decision whereby there is clear need and variety of PBSA development to come forward to satisfy the demand. At paragraph 23, the inspector states *'The appellant's updated Student Demand Study reaffirms its need case, and that PBSA is providing less than half of the student accommodation offer. This amounts to around 37,000 students who do not have the choice of PBSA. The appellant has also set out how demand is forecast to grow as student numbers increase, both domestically and internationally. There is not substantive evidence to the contrary.'*
- 4.42 This appeal indicates that PBSA development coming forward in suitable locations should be supported.

5.0 Conclusions

- 5.1 This statement demonstrates that the proposed development is in accordance with material policies in the development plan, so far as they are considered to be up-to-date for development management purposes. There is a specific development plan policy (policy H12 of the Core Strategy) concerning PBSA development, but this must be read in context with interim policy on PBSA adopted by the Executive Committee of Manchester City Council in December 2020. This is a significant material consideration, as are recent appeal decisions concerning PBSA proposals in Manchester. Material considerations, including the National Planning Policy Framework and Planning Practice Guidance, do not suggest any reason to depart from a position of accordance with development plan overall when considered in context with the interim PBSA policy.

Benefits of the proposal

- 5.2 In summary it is considered that the proposed development would result in a more efficient use of land, providing high quality PBSA accommodation proximate to the main university areas, the Oxford Road Corridor and the city centre without causing any adverse impact including on the highway network. The proposed development has University of Manchester support. The scale and massing of the proposed development is considered to be entirely appropriate, as is the way that it is delivered with high quality amenity space and improvements to the public realm. The proposed development can come forward without causing harm to the amenity of neighbouring occupiers, local ecology, drainage, trees or any other site-specific attributes. There is demonstrable biodiversity net gain.
- 5.3 The principal benefits of the proposed development are considered to be:
- Significant regeneration benefit of an underutilised brownfield site for a new PBSA scheme supporting the strategy in the city for new student accommodation proximate to the universities and the Oxford Road corridor;
 - Positive contribution to the much-needed supply requirement of PBSA in Manchester (raised in the Deansgate South appeal decision ref: APP/B4215/W/21/32875250 and Wilmslow Road appeal decision ref: APP/B4215/W/21/3286831).
 - A mix of PBSA studios and cluster units in a highly accessible and sustainable location, with a commitment to including a proportion of units at an affordable rent;
 - Contributing to an emerging new community in the Manchester Central Area and at the edge of the city centre;
 - Positively contributing to the student living options for students in the Manchester Central Area, consistent with the recently adopted interim policy on PBSA;
 - Creating a high-density student cluster, alongside the successful and well-established Liberty Park PBSA facility;
 - Improvements to the public realm; and
 - Biodiversity net gain.
- 5.4 Section 38(6) of the Planning Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material consideration indicates otherwise. The proposed development is shown to be consistent in principle with the development plan policies for the Manchester Central Area and the Inner Area and regarding PBSA accommodation.
- 5.5 Paragraph 11(d) of the Framework is engaged. This addresses circumstances where development plan policies which are most important for determining an application are out of date (as is the case here in

respect of PBSA given the need for the interim policy which is now in place), and provides for the granting permission unless:

- *the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.*

- 5.6 There are no matters to address in respect of protected assets or areas of particular importance. The impacts of granting planning permission would be entirely positive, in the context of providing a high quality PBSA facility in a logical and sustainable location. The proposed development is rightly considered in a positive light when assessed against the policies of the Framework taken as a whole.
- 5.7 The proposed development would bring about significant regeneration benefit for the immediate Carmoor Road locality and wider Ardwick area. The proposed development would act as a catalyst for further regeneration locally and would be an important element in the ongoing transformation of the Manchester Central Area, outside of the city centre. There is a clear opportunity to make good use of an underutilised brownfield site to provide high quality PBSA student accommodation.
- 5.8 Planning permission should be granted without delay.

Appendix 1

10th November 2022

Delivered by email

Mr John Nesbitt
Managing Director
Tiger Developments Limited

Dear John

UNIVERSITY OF MANCHESTER SUPPORT FOR STUDENT ACCOMMODATION PROPOSALS AT THE CARMOOR ROAD SITE, ARDWICK

We write to confirm the University of Manchester's position regarding Host/Tiger Developments proposed student accommodation development at the above site. I understand that this letter will be submitted with the planning application for the proposals, to be considered by Manchester City Council in determining the application.

The University of Manchester note the City Council's adopted development plan policy position in relation to the preferred location for purpose-built student accommodation, as outlined in Policy H12; that being that schemes should be close to University campuses or high frequency public transport routes that pass that area. H12 also notes that priority should be given to proposals that are progressed in partnership with a Higher Education Institution.

We have met with Host in relation to their proposals and have reviewed the proposed design both externally and internally.

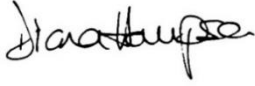
The University of Manchester recognises the opportunity that this scheme presents, particularly regarding the following considerations:

- The inherent design and layout of the building that offers students a good environment to learn and live in.
- The site's location, both on a highly frequent public transport route that affords easy and quick access to the University's teaching campus.
- The development is at a human scale reflective of its local context and includes valuable and high quality amenity and outside space.

The indicative rents include an affordable option; how this is managed and monitored is yet to be fully confirmed. Whilst the University broadly supports the proposal, full support for the scheme will therefore be dependent on the rent profile offered on completion of the development in 2025.

I look forward to continuing our discussions on the proposals, hopefully in light of a positive determination of the planning application.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Diana Hampson', with a stylized flourish at the end.

Diana Hampson OBE
Director of Estates and Facilities, University of Manchester

Appendix 2



Appeal Decision

Inquiry held on 29-31 March and 5-8 April 2022

Site visits made on 28 March and 7 and 8 April 2022

by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th May 2022

Appeal Ref: APP/B4215/W/21/3287525

Land at Deansgate South, Manchester M3 4LB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Fusion Manchester DevCo Ltd against the decision of Manchester City Council.
 - The application Ref 129406/FO/2021, dated 15 February 2021, was refused by notice dated 4 June 2021.
 - The development proposed is Full planning permission for a 28-storey purpose built student accommodation building (Sui Generis).
-

Decision

1. The appeal is allowed and full planning permission is granted for a 28-storey purpose built student accommodation building (Sui Generis) on land at Deansgate South, Manchester in accordance with the terms of the application, Ref. 129406/FO/2021, dated 15 February 2021, subject to the conditions set out in the attached schedule.

The site and its surroundings

2. The appeal site is triangular, is about 0.6 hectares, and is vacant, previously developed land. It has a north-west frontage to Bridgewater Viaduct, which spans the Bridgewater Canal and which links Chester Road to the south-west and Deansgate to the north-east, a south frontage to Deansgate South, and a north-east boundary facing Deansgate Quay, a residential development of up to seven stories above a ground floor car park that is at a lower level than the appeal site. Deansgate Quay and Deansgate South also span the canal where it meets the River Medlock. Access into the site is off Bridgewater Viaduct and Deansgate South.

3. On the opposite side of Bridgewater Viaduct is a recently completed residential development of two buildings of 12 and 21 stories; 2-4 Chester Road and known as Chester Wharf. Chester Wharf is within the Castlefield Conservation Area which contains several listed buildings including the Grade II Former Congregational Chapel to the north of the site. To the south-east of the site is Deansgate Square, a residential development of four multi-storey buildings ranging in height from 38 to 65 stories set within areas of public realm. The tallest tower, Deansgate West, is on the opposite side of Deansgate South to the appeal site.

4. To the south-west of Deansgate Square is a cleared site awaiting redevelopment alongside Great Jackson Street. Beyond this road, and with a frontage to Chester Road, is the Grade II listed Former Bridgewater Canal Offices. Beyond this listed building is the Victoria Residence at 21 stories and the Elizabeth

Tower at 51 stories, both recently constructed residential buildings. These two buildings form part of a larger scheme that includes The Blade and The Drum, both residential buildings currently under construction, and which includes a new park, a medical facility and a primary school.

5. The appeal site is at the north tip of the Great Jackson Street Regeneration Area (GJSRA), which is bounded by Chester Road, by the River Medlock, and to the south by Mancunian Way, the A57(M). All of the aforementioned recently constructed and under construction residential developments, apart from Chester Wharf and Deansgate Quay, are within the GJSRA. Just outside this area and to the south-east, on River Street, is a purpose built, recently constructed, student accommodation building of 32 stories. This building and the GJSRA are within the designated Manchester City Centre.

Planning history

6. In 2017, and the only event of note in the planning history of the site, planning permission was granted for the erection of a 13 storey building comprising 53 residential apartments, a ground floor commercial unit, landscaping, a loading bay and pedestrian access. The planning permission was not implemented and has expired. The building would have been alongside Bridgewater Viaduct and the remainder of the site alongside Deansgate South would have been public realm.

The proposed development

7. The proposed development is a 28 storey purpose built student accommodation (PBSA) building for 534 students. The triangular building would take up virtually the whole site. At lower ground floor level, with access off Deansgate South at the east end of the site, would be ancillary accommodation including cycle and refuse stores. The main entrance at ground floor level would be at the south-west tip of the building. At this floor level there would be reception and office space, lounge, social and game spaces, a laundry and ancillary accommodation around a stair and lift core. At first floor level there would be a gym, a wellbeing suite and communal study space. At all other floor levels there would be study bedrooms in a variety of arrangements.

8. The proposed building would have rooftop terraces at three levels, 22, 24 and 26. These would be, respectively, 38, 60 and 95 square metres. The terraces would be landscaped and available to students as external recreational spaces. The proposed development would be car free.

Planning policy

9. The Development Plan includes the Manchester Core Strategy (CS) and saved policies of the Unitary Development Plan (UDP) for Manchester.

10. CS policy CC8 states that developments which, amongst other things, improve legibility of the city centre will be supported subject to the proposal's impact on key aspects of the city's heritage and character. CS policy CC9 requires the design of new buildings to be of the highest quality in terms of appearance and function, and that development in the city centre should preserve the heritage assets that have been identified, including listed buildings and conservation areas. CS policy EN1, amongst other things, recognises that there will be opportunities to create landmark buildings but that developments should also contribute positively to the experience of all at street level. CS policy EN3 reiterates policy CC9 with regard to the preservation of heritage assets.

11. Two CS policies are particularly relevant to the proposed development; policy H12 'Purpose Built Student Accommodation' and policy EN2 'Tall Buildings'. Policy H12 is a criteria based policy and requires, amongst other things, that sites should be in close proximity to the university campuses or to a high frequency public transport route which passes this area, that high density developments should be sited in locations where this is compatible with existing developments and initiatives, and where retail facilities are within walking distance, that proposals should avoid causing an increase in crime in the surrounding area, that there will be no unacceptable effect on residential amenity in the surrounding area, and that developers will be required to demonstrate that there is a need for additional student accommodation, and that the proposed development is deliverable.

12. CS policy EN2 states that proposals for tall buildings will be supported where it can be demonstrated that they will be of excellent design quality and are appropriately located, will contribute positively to sustainability and to place making, for example as a landmark or by terminating a view, and will bring significant regeneration benefits. The policy states that a fundamental design objective will be to ensure tall buildings make a positive contribution to the evolution of a unique, attractive and distinctive Manchester, including its skyline and approach views, and states that suitable locations will include sites within the city centre with particular encouragement given to non-conservation areas and sites which can easily be served by public transport nodes. The policy also recognises that tall buildings can have a significant impact on the local wind environment and requires that this impact be modelled and that submissions include measures to create an attractive pedestrian environment.

13. Saved UDP policy DC19.1 states that the City Council will, amongst other things, seek to preserve the settings of listed buildings by appropriate control over the design of new development in their vicinity.

Reasons

14. The main issues are;

1. The effect on the proposed development on the character of the area;
2. The effect of the proposed development on the settings and significance of heritage assets;
3. Whether there is a need for the proposed development;
4. Whether the site is an appropriate location for the proposed development;
5. The effect of the proposed development on the amenities of residents of Deansgate Quay; and,
6. The effect of the proposed development on the wind microclimate at street level and the safety and comfort of pedestrians and cyclists.

The first issue – the character of the area

15. The character of the area has been hugely affected by development within and without the GJSRA. Development within the GJSRA is guided by the Great Jackson Street Development Framework (GJSDF) which was updated in 2018 from a 2015 version which was itself an update of the first version published in 2007. The

GJSRA is not part of the Development Plan but it has been the subject of public consultation and is afforded some weight. The appeal site is Plot H in the GJSRA.

16. At paragraph 2.15 of the GJSDF it is reported that 'Significant progress has been made in delivering the vision for the GJSRA as identified in the 2007 and 2015 Frameworks' and, in this regard, two planning permissions are referred to; that for the Deansgate Square development and that granted in 2017 for the appeal site. When the 2018 GJSDF was published the 2017 planning permission was extant and there would have been a reasonable prospect that the scheme would have been built out. The GJSDF therefore considers the 13 storey scheme to be committed development and it is this scheme, apart from one exception, that appears in sketches and plans of the GJSRA.

17. The one exception is where the GJSDF considers 'Height at Strategic Points'. The plan and street level visualisations indicate that Plot H could be the location of a building significantly taller than the 13 storey scheme granted planning permission in 2017. The appeal site is, indeed, at a strategic point of the GJSRA. The site is slightly detached from the main body of the area, by Deansgate South, and is at a point where the road leading from the Mancunian Way into the city centre takes a slight bend, at the junction of Chester Road and Bridgewater Viaduct. Consequently, any building on the appeal site is in direct line of sight along Chester Road towards the city centre and will terminate the vista along this main road.

18. The visually strategic location of the appeal site demands an appropriate design response for a building on the site. In addition, there are now significant developments on both sides of the site in the view along Chester Road. To the left is Chester Wharf, a distinctive scheme in bulk, design, form and material, Portland stone, and to the right is the 65 storey, glass clad, Deansgate West. There is a stark difference in form and appearance between the two schemes but this is not inappropriate in a part of the city that is changing fundamentally in character, from low rise industrial development to high rise residential development, and where buildings are individual in appearance but each part of a collective character.

19. The vista along Chester Road, between Chester Wharf and Deansgate West, is currently terminated by Deansgate Quay. This development, similar in scale and form to other developments to the east of Deansgate South, such as those on Little Peter Street and Constance Street, now relates poorly to its immediate surroundings and is not a suitable building to terminate the vista. The GJSDF envisages a tall building on the appeal site and, given its strategic location and the nearby tall buildings on both sides, a tall building is required to respect, and continue the development of, the character of the GJSRA and the wider area.

20. The visualisations along Chester Road towards the city centre from various distances, produced by both main parties, with Chester Wharf to the left and Deansgate West to the right, show that the proposed 28 storey building is appropriate in height. In this regard there is a clear step down in scale from development within the GJSRA to development outside the area. The proposed building would replace Deansgate Quay in this vista and the two developments would be close together. The proposed building would be significantly higher than Deansgate Quay and this height difference would be apparent in views south-westwards along Deansgate.

21. But in this vista the 65 storey Deansgate West and the other tall buildings of Deansgate Square are nearby in the background, and the 21 storey building at Chester Wharf is in the foreground. The addition of the proposed building, even

though it would be closer to Deansgate Quay, would not therefore compromise the already existing scale of development in, or the character of, the area. Furthermore, the difference in scale between the proposed building and Deansgate Quay is somewhat mitigated by the stepping down in scale of the proposed building at roof level. This design feature of the proposed building contributes positively to the appearance of the proposed building.

22. Other design features of the proposed building would contribute positively to its appearance. These include the full height glazing at the south-west and north corners, the vertical proportions and the ratio of solid to void of the principal elevations, and the active and open frontages at street level on Bridgewater Viaduct and Deansgate South. The building would be clad with Corten steel; a material that naturally corrodes to an orange/red colour. It is claimed that this colour reflects a traditional building material of the area, red brick, and that the material recalls a time when steelmaking was a local industry. These connections are interesting but not significant, and do not in themselves justify the choice of cladding material.

23. The GJSDF requires that 'Materials used must be durable with a long design life...' and '...should also be simply detailed, limited in palette, robust, high-quality and easily maintained'. Corten steel is a durable, high-quality, and easily maintained cladding material and the building would be simply detailed with a limited palette. Furthermore, recently constructed buildings within and without the GJSRA have distinctive characters and, in this regard, Corten steel would be an appropriate cladding material that would contribute to the distinctive character of the proposed development. In this regard the planning condition discussed at the Inquiry that would require the prior approval of an alternative cladding material would not be necessary if planning permission is granted.

24. The location of the site and the aspirations of the GJSDF require a landmark building for the site. The shape of the site has dictated the plan form of the building. This, however, is fortuitous for the resulting slender proportions of the proposed tall building, when viewed along Chester Road, would result in the building having landmark quality. Taking all the aforementioned factors into account the proposed 28 storey building would have a positive effect on, and would not therefore harm, the character of the area. The proposed development does not thus conflict, in this regard, with CS policies CC8, CC9 and EN1.

The second issue – the settings and significance of heritage assets

25. The National Planning Policy Framework (NPPF) defines the setting of a heritage asset as the surroundings in which such an asset is experienced, and the significance of a heritage asset to be the value of such an asset to this and future generations because of its heritage interest. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act) states that in considering whether to grant planning permission for development which affects a listed building or its setting the Secretary of State shall have special regard to the desirability of preserving the building or its setting.

26. Section 72(1) of the LBCA Act, with respect to any buildings or land in a conservation area, requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area. However, it is also the case that development outside a conservation area can affect, adversely or otherwise, the character or appearance of that area. Harm to the significance of a heritage asset must, in accordance with established case law, be given considerable importance and weight in the decision making process.

27. The Council maintains that the proposed development would harm the character and appearance, and therefore the significance, of the Castlefield Conservation Area and would harm the setting, and therefore the significance of, four Grade II listed buildings; the Former Congregational Chapel at 378-380 Deansgate, Deansgate Station, the Manchester South Junction and Altrincham Railway Viaduct, and the Former Bridgewater Canal Offices on Chester Road. They also maintain that the proposed development would cause harm to a non-designated heritage asset, the Atlas Bar, which is attached to the viaduct and is close to Deansgate Station.

28. Deansgate Station, the Viaduct and the Atlas Bar form a group of heritage assets that are experienced together in views southwards along Deansgate. In the background in these views are the four towers of Deansgate Square (Deansgate West at 65 storeys being the closest and most prominent) and the two tall buildings of Chester Wharf. Further in the background is the 51 storey Elizabeth Tower. The dispersed group of tall buildings is the background context of the setting of the heritage assets and the addition of the 28 storey proposed building, between Deansgate West and Chester Wharf, would not change that context. The proposed development would not harm the setting or significance of the group of designated and non-designated heritage assets.

29. The Former Congregational Chapel is on the south side of the railway viaduct and to the north-west of the Bridgewater Viaduct and is a prominent feature of the Conservation Area. Its tower is seen from Deansgate above the viaduct against a backdrop of the group of tall buildings, particularly the 21 storey tower at Chester Wharf, and behind steel gantries over the elevated railway. The proposed building would not affect appreciation of the tower in these views. The Chapel is closely experienced from the Bridgewater Viaduct and from the Castlefield Basin within the Conservation Area but the proposed building would be behind in these close views of the Chapel. Furthermore, Castle Wharf obscures views of the Chapel in views north-east along Chester Road and the Chapel only comes into view alongside the appeal site. The proposed building would not thus harm the setting or significance of the Former Congregational Chapel.

30. The Former Bridgewater Canal Offices is experienced from Chester Road, with the four towers of Deansgate Square to the left and with Victoria Residence and Elizabeth House to the right. The proposed building would only add to this context in oblique views of the Offices from Chester Road towards its junction with the Mancunian Way. In this view the 28 storey building would be between the 65 storey tower of Deansgate West and the 21 storey tower at Chester Wharf with Beetham Tower and the other three towers of Deansgate Square in the background. Given this context the proposed building would not affect appreciation of the Former Bridgewater Canal Offices and would not harm its setting or significance.

31. In the Officer Report on Chester Wharf, which is in the conservation area, it is stated that "The proposal would bring this vacant, unsightly piece of land back into use and would create a development...with a contemporary design that would complement the architectural ethos of the nearby listed buildings and would use high quality materials" and that "...the proposal would enhance the character and appearance of the conservation area". The proposed development would bring a vacant unsightly piece of land back into use, would not harm the setting or significance of nearby listed buildings and would use high quality materials. The appeal site is outside the Conservation Area and it is therefore concluded,

consistent with the conclusion in the Officer Report, that the proposed development would not harm the character and appearance of the Castlefield Conservation Area.

32. The proposed development would not harm the setting of the four Grade II listed buildings and the non-designated heritage asset and would not harm the character and appearance of the Castlefield Conservation Area. The development would have no effect on the significance of the heritage assets and does not, in this regard, conflict with CS policies CC9 and EN3 or saved UDP policy DC19.1.

The third issue – need for the proposed development

33. The Council claims that the Appellant has overestimated the need for more PBSA in Manchester to house students at the two principal universities, the University of Manchester (UM) and Manchester Metropolitan University (MMU). Whether they have or have not is not relevant because the Council accepts, as stated by Mr Ponter in his closing statement, that "...there is a need for the provision of more PBSA..." in Manchester. PBSA accommodation in the city has increased by about 500 bed spaces per annum over the last ten years and Mr Cole, for the Council, stated at the Inquiry that, up to at least 2030, about 660 further PBSA bed spaces per annum would be required to meet demand.

34. Mr Cole provided a note at the Inquiry that sets out sites identified by the Council for the development of PBSA. The ten schemes would provide 6,610 net new PBSA bed spaces but only one scheme, for only 62 bed spaces, is currently proceeding on site, one development is on site but has stalled, one has planning permission and one has been submitted for planning permission. The other six schemes are at pre-planning stage or have yet to progress even to this stage. There is an accepted quantitative need for the proposed PBSA scheme and it is not certain that there are enough schemes in the pipeline to meet PBSA demand over the next few years. The proposed scheme would contribute to fulfilling that need.

35. It must also be noted that the Appellant company, which has an impressive track record of developing PBSA schemes all around the country, has procured a professional assessment of PBSA need and is satisfied that there is sufficient unmet need to justify pursuing planning permission for development of the appeal site. They are also willing to commit significant financial resources to build out the development and they wouldn't be willing to do so if there wasn't an unmet need.

36. The same observation can be made about the qualitative need for the proposed PBSA scheme. It is undisputed that student numbers at UM and MMU will increase over the next decade and it is also undisputed that the percentage of international students, particularly those from the Far East, will increase at a greater rate. Such students are not generally attracted to living in shared houses and are willing to pay more for PBSA. The proposed scheme is aimed at this market at a price point similar to those at the recently built River Street PBSA scheme. The Appellant company has made their assessment and is confident that there is sufficient demand for the quality of PBSA that is proposed.

37. There is a quantitative and qualitative need for the proposed PBSA scheme and the Council can be confident, given the Appellant company's track record, that the scheme would be delivered if planning permission is granted. In this regard the proposed PBSA development does not conflict with CS policy H12.

The fourth issue – the location of the proposed development

38. CS policy H12 requires PBSA schemes to be in close proximity to the university campuses or to a high frequency public transport route which passes this area. The MU and MMU campuses are, mostly, to the south of the Mancunian Way and to the west of Oxford Road, the main road out of the city centre to the south. In the supporting text to policy H12 it is stated that “In this context “close proximity” means within 500m which is defined in Planning Policy Statement 4 as being within easy walking distance in terms of access to office development”. Supporting text is not policy and Planning Policy Statement 4 was withdrawn many years ago. Furthermore, walking distance to office development is an entirely different matter to walking distances to university campuses. The 500m distance referred to in the supporting text can be disregarded.

39. The Appellant has researched likely walking routes to the UM and MMU campuses and has provided estimates of walking times to these campuses. The timings are not precise because much depends on who is walking but it is not unreasonable for an able bodied student to walk for about 25 minutes from their accommodation to their university. It is also worth noting that the students would have an alternative sustainable means of travel. The appeal site may not be on a direct bus route to the campuses but Chester Road/Deansgate is a main arterial bus route and two bus trips, one from the accommodation to the transport hub on Oxford Street in the city centre and one from there to the campuses, would take about the same time as walking. It is likely that this would be a popular method of travel because it would afford the opportunity for students to shop and socialise in the city centre on their journeys to and from the universities.

40. The Officer Report on the River Street PBSA scheme states that “The site is within walking distance of both universities and is in close proximity to Oxford Road...It is therefore well connected to and in close proximity to university campuses...”. The proposed PBSA scheme is only about a 4-5 minute walk further away from the university campuses than the River Street scheme. Taking into account the easy and quick, and possibly otherwise beneficial, public transport link between the appeal site and the university campuses it is reasonable to conclude that the site is, as a matter of judgement, in close proximity to the university campuses. The appeal site is an appropriate location for the proposed development, which does not, in this regard also, conflict with CS policy H12.

The fifth issue – the amenities of residents of Deansgate Quay

41. The north-east elevation of the proposed building, which would have large windows to public spaces at mezzanine level and study bedroom windows at all other levels, would be about 12 metres from the south-west elevation of Deansgate Quay, which includes balconies and windows to living rooms at each end and windows to bedrooms in the middle. Given the relationship between existing and proposed development there is concern for overlooking of and loss of privacy in the flats in Deansgate Quay, and for reduced levels of daylight and sunlight in the flats, particularly in living rooms. The effect of the proposed development on outlook from the flats must also be considered.

42. Residents of flats in Deansgate Quay have benefited, with regard to all of the aforementioned concerns, from the appeal site remaining un-redeveloped thus far. The reality is, however, that the appeal site will be developed in the future, whether by the proposed development or by another. It is also realistic to assume that development would be higher than Deansgate Quay, as envisaged by the GJSDF.

The relationship between Deansgate Quay and any development on the appeal site, in terms of separation distance, would be similar to relationships between residential buildings nearby to the east and elsewhere in the city centre. This must be the starting point for consideration of the aforementioned concerns.

43. In terms of outlook from the flats in Deansgate Quay it matters not whether a building on the appeal site is 7, 13 or 28 storeys high. In this regard, outlook is directly forwards and the height of development on the appeal site is not therefore an issue. Furthermore, the outlook from living rooms in flats in the west corner of Deansgate Quay already takes in the 21 storey tower of Chester Wharf and the outlook from living rooms in flats in the south corner is of Chester Road rather than any building on the appeal site. The proposed development would not be unduly overbearing and would not unduly affect the outlook from flats in Deansgate Quay.

44. A particular concern is for overlooking of, and therefore loss of privacy in, Deansgate Quay flats from three large windows at mezzanine level in the proposed development. These windows would be to social and study spaces where students may be relaxing and regarding the outside world, which would be of windows in Deansgate Quay flats. Overlooking from the three windows could be alleviated by the installation of opaque glass and this could be covered by imposition of a planning condition. The mezzanine area has a large window in another elevation and the study and social spaces would not be compromised by the three windows having opaque glass. Windows to study bedrooms above mezzanine level are not large and are to deep plan rooms in which students are unlikely to be spending much time looking out. There is no concern for overlooking from these windows.

45. Reduced levels of daylight and sunlight in bedrooms in flats in Deansgate Quay, given that these rooms are generally in use during night-time hours with curtains drawn, is not concerning. The proposed development would result in reduced levels of daylight and sunlight in living rooms in flats in Deansgate Quay. But daylight and sunlight levels would be reduced by any realistic development on the appeal site and, on the basis of evidence provided at the Inquiry, to the same degree. Consequently, given also that CS policy CC6 emphasises the importance of maximising development opportunities in the city centre, reduced levels of daylight and sunlight in living rooms in Deansgate Quay would not be unacceptable.

46. The proposed development would not have a significant or unacceptable adverse effect on the amenities of residents of Deansgate Quay and, in this regard also, does not conflict with CS policy H12.

The sixth issue – the wind microclimate around the site

47. The relevant reason for refusal of the application states that “The proposed building...would have a detrimental impact upon the wind environment around the building, requiring mitigation. The applicant has failed to demonstrate that the mitigation measures put forward are capable of implementation...Therefore, it is considered that the proposed building...could have a detrimental effect on the safety and comfort of pedestrians and cyclists...”. The emphasis of the reason for refusal is on the effectiveness of mitigation measures rather than on the impact of the proposed building on the wind microclimate and only states that “...the proposed building could (emphasis added) have a detrimental effect...”.

48. However, whilst maintaining concern for the effectiveness of mitigation measures the Council has cast doubt on the robustness of the Appellant’s assessment of the effect of the proposed building on the wind microclimate,

prepared by Mr Evans. This was the subject of a chapter of the Environmental Statement (ES) submitted with the application. At no time during the application stage did the Council request further information or, for instance, ask that wind tunnel tests be carried out to model the effect of the building. It was only at appeal stage that the Council appointed Mr Turpitt to defend the reason for refusal and he has not carried out an assessment himself but has presented a critique of the methodology of Mr Evans' assessment.

49. The appropriate guidance on this topic, and commonly used by Engineers when assessing developments around the country, is 'Wind Microclimate Guidelines in the City of London, RWDI, August 2019'. The guidelines set out two methodologies for calculating the effect of a building on wind microclimates. Mr Evans' assessment has been carried out in accordance with one of those methodologies and by creating a 3D Computational Fluid Dynamic (CFD) model of the proposed development and the surrounding area. There is no reason to doubt that the modelling provides an accurate assessment of the effect of the proposed building on the wind microclimate. It was perfectly reasonable for Mr Evans to include both built out and consented schemes in the GJSRA in his modelling.

50. The ES and further assessment carried out by Mr Evans after the application stage does indicate that for a very few wind directions safety and comfort criteria would be exceeded for some short periods. Mr Turpitt, because he is critical of the methodology employed, suggests that wind conditions would be windier than those calculated. But Mr Evans has been cautious in his approach to the assessment and it is certainly true that wind in northern cities is stronger than wind in London, on which the guidelines and the safety criteria contained therein are based. There is nothing in evidence to suggest that the CFD model created is inaccurate and the guidelines do not require, for this method, that gust equivalent mean wind speeds are taken into account.

51. Mr Turpitt has suggested that wind tunnel testing should have been carried out in addition to CFD modelling. But the Council has not required for any of the 25 tall building schemes submitted for planning permission in the last eight years both wind tunnel testing and CFD modelling. The modelling does fairly identify, as set out in Mr Evans' proof of evidence, where wind from a few of the 36 10 degree compass point would exceed safety and comfort criteria on Bridgewater Viaduct and Deansgate South. The exceedences are slight and would be the same for any development on the site. There is nothing in evidence to indicate that the CFD modelling carried out by Mr Evans does not provide a robust and accurate assessment of the effect of the proposed development on the wind microclimate.

52. Mitigation is proposed in the form of four trees on the pavement to Bridgewater Viaduct and three trees on the pavement to Deansgate South. It is estimated that the mitigation measures would alleviate all exceedences other than in the 70 degree wind direction on Bridgewater Viaduct. But Mr Evans' statement, at paragraph 8.1.1 of his proof of evidence, that "...based on the 30 year historic dataset use for the modelling, the likelihood of the safety exceedences modelled occurring in the real world are negligible", has not been challenged. However, the Council has challenged whether the proposed trees could be established.

53. The seven trees would be planted in a cellular tree pit system developed by GreenBlue Urban. The system is designed to provide sufficient soil volumes to ensure tree establishment and their long term survival. The system can accommodate both existing and proposed services and has been used successfully

in other projects in the city. The Council has cast doubt on the use of the system because they maintain that the site survey does not accurately identify the location and depth of underground services. The survey was carried out using modern electro magnetic and ground penetrating radar techniques and, in any event, the tree pit system is sufficiently adaptable to accommodate services when they are uncovered during the construction process. There is no reason to doubt that the proposed trees would become established and would provide mitigation for the effect of the proposed development on the wind microclimate.

54. The proposed development would not affect the wind microclimate at street level such that the safety and comfort of pedestrians and cyclists would be compromised. The proposed development does not thus conflict with, in this regard, CS policy EN2.

Other Matters

55. The Greater Manchester Police Crime Prevention Team do not object to the proposed development and there are no concerns for the safety and welfare of resident students of the PBSA scheme. The 2018 GJSDF does not exclude PBSA schemes from the GJSDA. The proposed car free development would not have any effect on traffic or highway safety in the area. All other matters mentioned in opposition to the proposed development have been considered but they do not, either individually or collectively, outweigh the overall conclusion to be reached.

Conditions

56. The Council and the Appellant have, generally, agreed suggested conditions to be imposed if planning permission was to be granted. Those not agreed are considered below. The suggested conditions that will be imposed have been amended, in the interests of clarity and precision, but they meet the tests set out in the National Planning Practice Guidance (NPPG).

57. Suggested condition 12 requires the submission of a Flood Risk Assessment (FRA) even though an FRA was submitted with the application. The application was submitted more than one year ago and it is not therefore unreasonable for the Council to require the submission of an FRA because it may need updating. Item i) of the condition is also not unreasonable and covers the possibility that the drainage strategy for the development might be altered to include discharge of surface water into a main river. If it is not altered then item i) does not come into effect. Suggested condition 12 has not therefore been amended.

58. Suggested condition 14 has been deleted because the FRA submitted with the application indicates that foul and surface water will be discharged to a combined sewer and United Utilities accepted this strategy in pre-application correspondence. In any event, condition 12 requires the submission of an FRA which will be considered by United Utilities as statutory consultee on drainage matters. Suggested condition 17 has been deleted because it duplicates suggested condition 16. A vague and open ended element of suggested condition 22 has been deleted. Suggested condition 33 has been deleted because, as previously indicated, it is not necessary to make the development acceptable in planning terms.

Section 106 Unilateral Undertaking

59. A signed and dated Section 106 Unilateral Undertaking was submitted after the close of the Inquiry. The Undertaking provides for the payment of two financial contributions to the Council; £30,000 for the provision of a Bee Network Cycle Hire

stand in the vicinity of the development and £75,000 for the provision of a new signalised pedestrian crossing on Medlock Street. The obligations of the Undertaking are related to requirements of development plan policies and are necessary to make the development acceptable in planning terms. They are all, furthermore, directly related to the development, are fairly and reasonably related in scale and kind to the development, and are in place to mitigate the effects of the development. The Legal Agreement therefore complies with the tests set out in the NPPG and with Regulation 122 of the CIL Regulations 2010.

Conclusion

60. The proposed development would not harm the character of, or the significance of heritage assets in, the area, and would not have a significant adverse effect on the amenities of residents of Deansgate Quay. Furthermore, there is a quantitative and qualitative need for the proposed PBSA scheme which would be in an appropriate location relative to UM and MMU campuses, and there are no significant comfort or safety concerns for pedestrians or cyclists. The proposed development accords with CS policies H12 and EN2 in particular, and with the up-to-date development plan.

61. Paragraph 11 of the National Planning Policy Framework requires that development proposals that accord with an up-to-date development plan should be approved without delay. The proposed development does accord with an up-to-date development plan and planning permission is thus granted, subject to conditions, for a 28-storey purpose built student accommodation building (Sui Generis) on land at Deansgate South, Manchester.

John Braithwaite

Inspector

APPEARANCES

FOR THE APPELLANT:

Mr C Katkowski Queens Counsel
and
Mr G Grant Of Counsel

(instructed by Ms C Pegg of Cushman and Wakefield)

They called

Mr D Feeney BA(Hons)	Partner at Cushman and Wakefield
Mr A Pearce BA(Hons) BTP(Hons) MRTPI	Managing Director of Pearce Planning Ltd and Head of Planning at Fusion Students
Mr C Pullen BA(Hons) DipUD	Director of Lambert Smith Hampton
Dr C Miele MA PhD IHBC MRTPI	Senior Partner at Montagu Evans LLP
Mr P Evans BSc(Hons) MEI CEnv	Service Area Director at Wardell Armstrong LLP
Mr J Dalrymple	Technical Design Consultant at GreenBlue Urban Ltd
Mr S Denby BA(Hons) MSc CMILT	Technical Director at Hydrock Consultants Ltd
Ms K Hulse BA(Hons) MA MRTPI	Partner at Cushman and Wakefield
Mr M Beatty BSc(Hons) MRICS	Associate Partner at GIA

FOR THE LOCAL PLANNING AUTHORITY:

Mr I Ponter Of Counsel

(instructed by Mr J Hobson, Senior Lawyer at Manchester City Council)

He called

Mr N Cole BA(Hons)	Strategic Lead for Housing, Strategy and Policy at Manchester City Council
Mr D Carty DipURP MRTPI	Development Manager at Manchester City Council
Mr P Mason BA(Arch) DipArch RIBA IHBC	Group Manager – Urban Design and Conservation at Manchester City Council

Mr A Turpitt MEng CEng MIMechE

Director of Architectural Aerodynamics Ltd

Mr A Mitchell BSc(Hons) DipURP

Principal Planning Officer at Manchester City Council

INTERESTED PARTIES:

Mr M Beck

Local resident

Mr A Fallon

Director of Estates, Facilities and Capital at Manchester Metropolitan University

DOCUMENTS

- 1 Appearances for the Appellant.
- 2 Appearances for Manchester City Council.
- 3 Appellant's Opening Submissions.
- 4 Opening Submissions on behalf of the Local Planning Authority.
- 5 Supplementary Note by Mr Cole on Student Need.
- 6 Representation by Mr Beck.
- 7 Letter from Mr Fallon to Mr Brown dated 31 March 2022.
- 8 Draft Unilateral Planning Obligation.
- 9 Section 106 Compliance Statement by Manchester City Council.
- 10 Draft planning conditions.
- 11 Closing Submissions on behalf of the Local Planning Authority.
- 12 Appellant's Closing Submissions.

SCHEDULE OF CONDITIONS FOR PLANNING PERMISSION 129406/FO/2021

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the following drawings and documents:

Existing - Site Location Plan	20269-0200 P-00
Proposed - Site Location Plan	20269-0300 P-02
Proposed - Block Plan	20269-0301 P-02
Proposed - Plan - Lower Ground (Superseded)	20269-0310 P-04
Proposed - Plan - Ground	20269-0311 P-02
Proposed - Plan - Mezzanine	20269-0312 P-02
Proposed - Plan - Typical 01-21st Floors	20269-0313 P-02
Proposed - Plan - 10th Floor	20269-0315 P-02
Proposed - Plan - 22nd Floor	20269-0316 P-02
Proposed - Plan - 23rd Floor	20269-0317 P-02
Proposed - Plan - 24th Floor	20269-0318 P-02
Proposed - Plan - 25th Floor	20269-0319 P-02
Proposed - Plan - 26th Floor	20269-0320 P-02
Proposed - Plan - 27th Floor	20269-0321 P-02
Proposed - Plan - Roof	20269-0322 P-02
Proposed - Room Types	20269-0325 P-02
Proposed - Section - A-A	20269-0340 P-00
Proposed - Section - B-B	20269-0341 P-00
Proposed - Section - C-C	20269-0342 P-01
Proposed - Elevations - North and South	20269-0350 P-01
Proposed - Elevations - East and West	20269-0351 P-01
Proposed - Streetscene Elevation - North	20269-0355 P-01
Proposed - Streetscene Elevation - South	20269-0356 P-00
Proposed - Elevation and Sections Study - Typical Ground and Mezzanine	20269-0360 P-00
Proposed - Elevation and Sections Study - Typical Level	20269-0361 P-00
Proposed - Elevation and Sections Study - Level Twenty Sixth External Terraces	20269-0362 P-00

Proposed - Elevation and Sections Study - East Elevation	20269-0363 P-00
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Environmental Statement Volume 1;
 Environmental Statement Appendices;
 Planning Statement dated February 2021 by Cushman & Wakefield;
 Design and Access Statement 20269-8003-01 by Corstorphine + Wright Architects dated December 2020 as amended by the Design and Access Statement Addendum 20269-8004-00 by Corstorphine + Wright Architects dated November 2021;
 Archaeological Desk Based Assessment by Oxford Archaeology dated October 2015;
 Blue and Green Infrastructure Statement by Cushman & Wakefield dated February 2021;
 Broadband Connectivity Assessment Issue 0.3 dated 07/01/2021 by GTech Surveys Limited;
 Television and Radio Reception Impact Assessment Issue 0.3 dated 07/01/2021 by GTech Surveys Limited;
 Crime Impact Statement Ref: 2018/0600/CIS/02 Version B: 27/01/21 by Greater Manchester Police Design for Security;
 Energy Strategy Report dated 16 December 2020 by Ridge;
 BREEAM Pre-Assessment Report dated 14/10/2020 by Impact Sustainability;
 Flood Risk Assessment and Drainage Strategy 20047.02.03.D100 dated December 2020 by Shear Design;
 Phase 1 Preliminary Risk Assessment Report dated January 2021 by WSP;
 Phase 1 Preliminary Risk Assessment Report Appendix C, part 1;
 Phase 1 Preliminary Risk Assessment Report Appendix C, part 2;
 Phase 1 Preliminary Risk Assessment Report Appendix C, part 3;
 Factual Report on Ground Investigation;
 Local Labour Agreement dated February 2021 by Cushman & Wakefield;
 Residence Management Plan by Fusion Students;
 Social Spaces, Amenities & Student Wellbeing Strategy dated January 2021 by Corstorphine + Wright Architects;
 Transport Statement Rev 01 and Framework Travel Plan by Calibro;
 Student Accommodation Schedule by Corstorphine + Wright Architects;
 Tree Planting Proposals by Wardell Armstrong received by the City Council on 25 January 2022;
 Updated Environmental Statement – Chapter 12: Wind Microclimate dated February 2022.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Core Strategy.

3. a. Notwithstanding the details shown in the approved drawings and documents, the development hereby permitted shall not take place unless and until full details of the measures required to provide a safe and comfortable wind environment in and around the site for pedestrians and cyclists as a result of the development has been submitted to and approved in writing by the local planning authority. Where the mitigation includes tree planting, the details shall include:
 - i. A viability assessment for any tree planting within the highway, which shall include service plans, a ground penetrating radar survey and the digging of trial holes. The information derived from these investigations shall be used to illustrate within scaled plans the location of any services (including their depth) relative to the pavement edge and building line;

- ii. Details of the overall numbers, size, species and planting specification (which should meet with the City Centre Tree Planting Specification Standards) and details of on going maintenance shall be submitted to and approved in writing by the City Council as local planning authority in accordance with the planting scheme as agree above.

b. Any approved scheme shall be fully implemented prior to first occupation of the development. If within a period of 10 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - In the interests of amenity and public safety, pursuant to policy DM1 of the Core Strategy.

4. No vegetation clearance shall take place between 1 March and 31 August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation that no active bird nests are present has been provided. Any such written confirmation should be submitted to the local planning authority.

Reason - In order to provide protection to nesting birds, pursuant to Policy EN15 of the Core Strategy.

5. Prior to the commencement of development (other than demolition and site clearance), details of piling using penetrative methods shall not be carried out other than with the written approval of the local planning authority. Development shall be carried out in accordance with the approved details.

Reason - To ensure that the proposed piling does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework.

6. a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To protect the water environment pursuant to policies DM1 and EN18 of the Core Strategy.

7. a) Prior to the commencement of development, details of a Local Benefit Proposal in order to demonstrate a commitment to recruit local labour for both the construction and operation elements of the development shall be submitted to and approved in writing by the local planning authority. The approved document shall be implemented as part of the construction and occupation phases of the development.

In this condition a Local Benefit Proposal means a document which includes:

- (i) the measures proposed to recruit local people including apprenticeships;
- (ii) mechanisms for the implementation and delivery of the Local Benefit Proposal; and
- (iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives.

(b) Within six months of first occupation of the development, details of the results of the scheme shall be submitted to the local planning authority.

Reason - To safeguard local employment opportunities pursuant to policy EC1 of the Core Strategy.

8. Prior to the commencement of development, a detailed demolition and construction management plan outlining working practices during development (including demolition works) shall be submitted to and approved in writing by the local planning authority. For the avoidance of doubt the demolition and construction management plan shall include:

- a) Display of an emergency contact number;
- b) Details of Wheel Washing;
- c) Dust suppression measures;
- d) Compound locations where relevant;
- e) Location, removal and recycling of waste;
- f) Routing strategy and swept path analysis;
- g) Parking of construction vehicles and staff;
- h) Sheeting over of construction vehicles;

- i) Communication strategy with residents that shall include details of how engagement, consultation and notification of residents during the works shall take place;

Development shall be carried out in accordance with the approved demolition and construction management plan.

Reason - To safeguard the amenities of nearby residents and highway safety pursuant to policies SP1, EN9, EN19 and DM1 of the Core Strategy.

9. Before development commences, a full condition survey of the carriageways/footways on construction vehicle routes surrounding the site shall be undertaken and submitted to the local planning authority. When all construction/fit-out works are complete, the same carriageways/footways shall be re-surveyed and the results submitted to the local planning authority for assessment. Should any damage have occurred to the carriageways/footways, they shall be repaired and reinstated in accordance with a scheme that shall first be submitted to and approved in writing by the local planning authority. The necessary costs for this repair and/or reinstatement shall be met by the developer.

Reason - To ensure an acceptable development pursuant to policy DM1 of the Core Strategy.

10. Prior to the commencement of development a programme for the submission of samples and specifications of all materials to be used on all external elevations of the development, including details of full sized sample panels, shall be submitted to and approved in writing by the local planning authority. Samples and specifications of all materials to be used on all external elevations of the development, which shall include jointing and fixing details, details of the drips to be used to prevent staining and a strategy for quality control management, shall then be submitted to and approved in writing by the local planning authority in accordance with the programme as agreed above. The development shall be carried out in accordance with the approved details.

Reason – In the interests of the visual amenity of the area pursuant to policies SP1 and DM1 of the Core Strategy.

11. a. Prior to the commencement of development a programme for the submission of final details of the public and private realm works for the development shall be submitted to and approved in writing by the Local Planning Authority. The programme shall include submission and implementation timeframes for the following details:

- a. Details of the proposed hard landscape materials;
- b. Details of the materials, including natural stone or other high quality materials to be used for the reinstatement of the pavements within the public highway and for the areas between the pavement and the line of the proposed building;
- c. Details of the proposed tree species within the public realm including proposed size, species and planting specification including tree pits and design;
- d. A strategy detailing on-going maintenance of the proposed trees;
- e. Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include bat boxes and bricks, bird boxes and appropriate planting;
- f. Details of any external furniture including seating, bins and lighting;

b. The above details shall then be submitted to and approved in writing by the local planning authority and fully implemented in accordance with the approved timeframes.

If within a period of 10 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out pursuant to policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

12. No development shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and details that have been submitted to and approved in writing by the local planning authority.

In order to discharge the above drainage condition the following additional information shall be provided:

- a) A Flood Risk Assessment shall be carried out, as the site is located within close proximity to a Main River and the site is shown to be located within an Environment Agency (EA) Flood Warning Area;
- b) A Drainage Strategy, which shall be set out in accordance with National Planning Policy Framework and follow the drainage hierarchy;
- c) The River 'Medlock Tunnel' (which connects the River Medlock) runs within close proximity to the site, therefore site investigation works and correspondence with the Environment Agency shall be carried out to confirm that this culvert is not located within the site boundary and that the proposed building does not encroach into the culvert easement;
- d) Consideration of alternative green SuDS solution (that utilises infiltration or attenuation) if practicable;
- e) Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area;
- f) Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;
- g) Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so

that flooding does not occur during a 1 in 100 year rainfall event with allowance for 40% climate change in any part of a building;

- h) Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes shall be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes shall be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site;
- i) Where surface water is connected to a Main River, any works within or adjacent to the river that would affect it would require consent from the Environment Agency (EA). An email of acceptance by the EA of proposed flows and/or new connection will suffice;
- j) Where surface water is connected to the public sewer, agreement in principle from United Utilities (UU) is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance by UU of proposed flows and/or new connection will suffice. In the event of surface water draining to the combined public sewer, the pass forward flow rate to the public sewer shall be restricted to 5 l/s;
- k) Hydraulic calculation of the proposed drainage system;
- l) Construction details of flow control and SuDS elements.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies EN08 and EN14 of the Core Strategy.

13. The development hereby permitted shall not be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. The details shall include:

- a. Verification report providing photographic evidence of construction as per design drawings;
- b. As-built construction drawings if different from design construction drawings;
- c. Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason - To ensure satisfactory drainage pursuant to policies EN08 and EN14 of the Core Strategy.

14. Before development commences, studies containing the following with regard to television reception in the area of the site shall be submitted to and approved in writing by the local planning authority.

- a) Measure the existing television signal reception within the potential impact areas identified in the Television and Radio Reception Impact Assessment Issue 0.3 dated 07/01/2021 by GTech Surveys Limited before development commences. The work shall be undertaken either by an aerial installer registered with the Confederation of Aerial Industries or by a body approved by the Office of Communications, and shall include an assessment of the survey results obtained.
- b) Assess the impact of the development on television signal reception within the potential impact area identified in (a) above within one month of the practical completion of the development or before the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the local planning authority in response to identified television signal reception problems within the potential impact area. The study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out in (a) above. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the local planning authority, whichever is the earlier.

Reason - To ensure that the development does not adversely affect existing levels and quality of television reception pursuant to policy DM1 of the Core Strategy.

15. Development shall not commence on site unless and until a Radar Mitigation Scheme (RMS), (including a timetable for its implementation during construction), has been agreed with NATS (En Route) PLC and submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved RMS.

Reason - In the interests of aviation safety pursuant to policy DM2 of the Core Strategy.

16. Development shall not commence unless and until a scheme for the provision of obstacle lighting has been submitted to and approved in writing by the local planning authority, in consultation with the Aerodrome Safeguarding Authority for Manchester Airport. The approved obstacle lighting scheme shall be implemented before first occupation of the development and retained thereafter.

Reason - In the interests of aviation safety pursuant to policy DM2 of the Core Strategy.

17. Facilities for the storage and disposal of waste shall be provided in accordance with a waste management strategy (WMS) to be submitted to and approved in writing by the local planning authority before the development is occupied. The WMS shall include provision for a twice weekly refuse collection to be undertaken by a private refuse collector only. It shall be implemented in full throughout the lifetime of the development.

Reason - In the interests of amenity and public health pursuant to policy DM1 of the Core Strategy.

18. a. Notwithstanding the details shown in the approved drawings and documents, before the development commences a scheme for acoustically insulating the proposed student accommodation against noise from Bridgewater

Viaduct, Deansgate, and the nearby tram and railway lines shall be submitted to and approved in writing by the local planning authority.

The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the units are occupied.

Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria shall be required to be achieved:

Bedrooms (night time 23:00 to 07:00) - 30 dB L Aeq (individual noise events shall not exceed 45 dB L AmaxF by more than 15 times);

Living rooms (daytime 07:00 to 23:00) - 35 dB L Aeq

Gardens and terraces (daytime) - 55 dB L Aeq.

b. Prior to first occupation of the student accommodation units, a verification report to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report shall be submitted to and approved in writing by the local planning authority. The report shall include post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria. Those measures shall be implemented in full before any of the units are first occupied.

Reason - To protect future residents from noise nuisance pursuant to policies SP1, H1 and DM1 of the Core Strategy.

19. a. Before first occupation of the development the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme to be submitted to and approved in writing by the local planning authority in order to secure a reduction in the level of noise emanating from the equipment.

b. Upon completion of the development and prior to first occupation a verification report to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report shall be submitted to and approved in writing by the local planning authority. The verification report shall also undertake post completion testing to confirm that acceptable criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria. Those measures shall be implemented in full before any of the units are first occupied.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policies SP1 and DM1 of the Core Strategy.

20. a) Prior to commencement of the development mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the local planning authority and shall remain in situ whilst the use or development is in operation.

Reason - To protect existing and future residents of the area from air pollution pursuant to policies EN16, SP1 and DM1 of the Core Strategy.

21. Rooftop terraces of the development hereby permitted shall not be used outside the hours of 0700 to 2300 on any day. ~~No part of the site outside the building shall be used other than in accordance with a schedule of days and hours of operation submitted to and approved in writing by the City Council as local planning authority.~~ No amplified sound or music shall be produced or played on the terraces or outside the building.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy.

22. a) Prior to first occupation of the development, a scheme of highway works shall be submitted to and approved in writing by the local planning authority and shall include the following:

- i. The provision of an accessible car parking bay within the vicinity of the site;
- ii. The provision of a Car Club parking bay within the vicinity of the site;
- iii. The provision of an informal crossing facility on Deansgate South;
- iv. The installation of a loading bay on Deansgate South;
Details of the materials, including natural stone or other high quality materials to be used for the reinstatement of the pavements adjacent to the site and for the areas between the pavement and the line of the proposed building, and repairs/improvements to the pavements on routes to the bus stops on Oxford Street between Whitworth Street and Charles Street (including the route along Little Peter Street) and the University of Manchester and Manchester Metropolitan University campuses based on an independent Stage 1 and 2 Road Safety Audit. ~~Any other works required to the adopted highway around the site to enable the development.~~

b) The highway works approved under part a) of this condition shall be implemented in accordance with the approved details prior to any part of the development first being occupied and shall thereafter be retained and maintained.

Reason - In the interests of pedestrian and highway safety pursuant to policy DM1 of the Core Strategy.

23. Prior to first occupation of the development, a detailed Servicing and Deliveries Strategy (SDS) shall be submitted to and approved in writing by the local planning authority. The SDS shall include details of management arrangements for student moving in and out times; taxi pick up and drop off; food and online deliveries; and any other associated management and operational requirements. The approved SDS shall be in place prior to first occupation of the development and shall be retained thereafter.

Reason - To ensure appropriate servicing arrangements pursuant to policies SP1 and DM1 of the Core Strategy.

24. The development hereby permitted shall operate in accordance with a Resident Management Strategy (RMS) that has been submitted to and approved in writing by the local planning authority before first occupation of the development.

Reason - In the interests of highway safety and the protection of residential amenity pursuant to policy DM1 of the Core Strategy.

25. a. External lighting shall be designed and installed so as to control glare and overspill onto nearby residential properties in accordance with a scheme to be submitted to and approved in writing by the local planning authority before first occupation of the development. If any lighting at the development hereby approved, when illuminated, causes glare or light spillage, which, in the opinion of the local planning authority, causes detriment to adjoining and nearby residential properties, within fourteen days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the local planning authority and once approved shall thereafter be implemented and retained in accordance with details which have been approved in writing by the local planning authority.

b. Prior to first occupation of the development, a verification report to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report shall be submitted to and approved in writing by the local planning authority. The report shall include post completion testing to confirm that the acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the acceptable criteria. Those measures shall be implemented in full before any of the development is first occupied.

Reason - To protect the amenities of residents of nearby residential accommodation pursuant to policies SP1 and DM1 of the Core Strategy.

26. No loading or unloading shall be carried out at the site outside the hours of 0730 to 2000 on Mondays to Saturdays and 1000 to 1800 on Sundays and Bank Holidays.

Reason - To protect the amenities of local residents pursuant to policies SP1 and DM1 of the Core Strategy.

27. The development hereby permitted shall be carried out in accordance with the recommendations of the Crime Impact Statement Ref: 2018/0600/CIS/02 Version B: 27/01/21 by Greater Manchester Police Design for Security and the building shall not be occupied or used until the local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

Reason - To reduce the risk of crime pursuant to policy DM1 of the Core Strategy.

28. No part of the development hereby permitted shall be occupied unless and until space and facilities for bicycle parking have been provided in accordance with the approved plans. The approved spaces and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking pursuant to policy T1 of the Core Strategy.

29. Before the development is first occupied a Travel Plan (TP), including details of how the plan will be funded, implemented and monitored for effectiveness, shall be submitted to and approved in writing by the local planning authority. The TP shall include monitoring procedures and review mechanisms that are to be put in place to ensure that the TP and its implementation remain effective. The results of the monitoring and review processes shall be submitted in writing to the local planning authority and any measures that are identified that can improve the effectiveness of the Travel Plan Strategy shall be adopted and implemented. The Travel Plan shall be fully implemented on occupation of the development, and shall be kept in operation at all times thereafter.

Reason - To promote a choice of means of transport pursuant to policies T2 and EN16 of the Core Strategy.

30. The development shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least 'Very Good'. A post construction review certificate shall be submitted to and approved in writing by the local planning authority within six months of the development being occupied.

Reason - In order to minimise the environmental impact of the development pursuant to policies EN4, EN5, EN6 and EN7 of the Core Strategy.

31. The development hereby permitted shall include full disabled access to all areas of public realm and via the main entrances to the floors above.

Reason - To ensure that satisfactory disabled access is provided pursuant to policy DM1 of the Core Strategy.

32. The building hereby permitted shall only be used as purpose built student accommodation (Sui Generis) and for no other use.

Reason - To ensure that the accommodation is used solely for the intended purpose of student accommodation pursuant to policy DM1 of the Core Strategy.

33. No telecommunications equipment shall be mounted on any external part of the building hereby permitted.

Reason - In the interest of visual amenity pursuant to policy DM1 of the Core Strategy.

34. Prior to first occupation of any disabled accessible room within the development a strategy for providing access to university campuses by residents with disabilities shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented and retained in perpetuity.

Reason - To ensure access to the University campuses for disabled residents of the building in accordance with Policy T1 of the Core Strategy.

35. Prior to commencement of the development hereby permitted a scheme for obscuration of the three windows at mezzanine level in the north elevation of the building shall be submitted to and approved in writing by the local planning authority. The three windows when installed shall be obscured in accordance with the approved scheme and shall thereafter be maintained in perpetuity.

Reason - To protect the privacy of residents of Deansgate Quay pursuant to policy DM1 of the Core Strategy.

Appendix 3



Appeal Decision

Hearing held on 22 to 23 June 2022

Site visit made on 23 June 2022

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th July 2022

Appeal Ref: APP/B4215/W/21/3286831

Oakley, 188 Wilmslow Road, Manchester M14 6LJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms Eve Ladden Timbers, Union of Shop, Distributive and Allied Workers, Watkin Jones Group Ltd, Wilmslow Road Manchester Ltd against the decision of Manchester City Council.
 - The application Ref: 129020/FO/2020, dated 23 December 2020, was refused by notice dated 3 September 2021.
 - The development proposed was originally described as a full planning application for the part-demolition of the existing office buildings on site and erection of purpose built student accommodation. Retention and redevelopment of Oakley Villa to provide amenity and communal space, landscaping and associated infrastructure.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development in the banner heading above is taken from the planning application form. The appeal form states that the description has changed from that stated on the application form to the *'erection of 1 no. 13 storey building and 1 no. part 4 and part 5 storey building to form purpose built student accommodation together with a single storey side and rear extension to the retained and refurbished Oakley Villa and conversion to form amenity and communal space together with associated landscaping, cycle parking, car parking and associated works following the demolition of existing office accommodation on the site.'* This is also the description that is set out on the Council's decision notice. Accordingly, I have considered the appeal on this basis. I have also utilised the details of the appellant from the appeal form in the banner heading as those details were not provided on the planning application form.
3. Following the submission of further arboricultural evidence with the appeal, the Council withdrew its concerns over the effect on the amenity value of trees, as is set out in its fourth reason for refusal. Hence, this issue is no longer in disagreement between the Council and the appellant. The hearing proceeded on this basis. All other matters that are set out in the Council's decision notice remain in dispute with the appellant.

4. The appellant submitted a rebuttal document in response to the Council's appeal statement. I accepted this document exceptionally as late evidence prior to the opening of the hearing because it would not have been possible for the appellant to have provided this evidence when its full statement of case was submitted. Moreover, as it concerns the matters of dispute, it is also directly relevant and necessary to my decision. In the interests of procedural fairness, the Council was requested to put the document on its website, so that it was available for perusal by other parties prior to the hearing. Hence, no party has been disadvantaged in my acceptance of this document.
5. The proposal has also been considered by the Secretary of State in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (SI 571/2017). A screening direction has been issued which states that the proposal is not Environmental Impact Assessment development.

Main Issues

6. Taking account of the above, the main issues are (i) whether the proposal would be in a suitable location with regard to the development plan regeneration and housing policies; (ii) whether there is a need for the proposal as student housing; (iii) the effect on the significance of a non-designated heritage asset, Oakley House; (iv) the effect on the character and appearance of the area; (v) the effect on the living conditions of the occupiers of nearby residential properties in relation to noise, disturbance and general activity; (vi) the effect on the living conditions of the occupiers of residential properties on Langley Road by way of visual impact and privacy; and (vii) if there is harm, whether this is outweighed by the benefits of the proposal.

Reasons

Suitable Location

7. The site comprises offices that were formerly occupied by the Union of Shop, Distributive and Allied Workers, together with the grounds and parking. The associated building is known as Oakley House, a 2 storey building which has been extended significantly. There is a large 3 storey extension which projects from the side of the building and down much of the side of the site along Langley Road. Beyond, there is a raised 2 storey extension which angles back from this road, parallel to the west boundary of the site.
8. There are a number of accesses into the site, and parking areas are found both towards the Wilmslow Road eastern boundary and adjacent to the west boundary. There are also areas of mature landscaping around the Wilmslow Road parking area and towards the north boundary of the site, in particular. There is also an open grassed area in between Oakley House and the various extensions.
9. With regard to the site's surroundings, to the west and the north is Platt Fields Park. On the opposite side of Wilmslow Road lies the Fallowfield Campus, which comprises university owned student accommodation. Langley Road and the streets behind contain largely 2 storey terraced housing. It is an area of the city that accommodates a large student population, both in relation to the Fallowfield Campus and private housing in the area.
10. Policy H6 of the Council's Local Development Framework (LDF) Core Strategy Development Plan Document (2012) (Core Strategy) sets out how the Council

foresees that South Manchester will contribute to new residential development in the city. It states that only high density development will generally be appropriate within named district centres and as part of mixed use development. Such centres include Fallowfield. Whilst the site lies relatively close to this district centre as is defined by the LDF Area Map, it lies outside of it. Policy H6 thereafter sets out priorities for housing outside of centres based on identified shortfalls, where family housing, meeting the needs of elderly people and affordable housing are cited.

11. With regard to the relevance of Policy H6 to the proposal, the supporting text refers to purpose built student accommodation (PBSA) by way of the Fallowfield campus. Hence, this policy does concern itself with the type of accommodation that is for my consideration, even if it is a *sui generis* use. The proposal as PBSA still performs a housing function.
12. The proposal would be of a high density in these environs where it would involve a total of 425 student bedrooms and associated facilities that would be contained within new 13 storey and 4 and 5 part storey buildings. This would be markedly greater than the Langley Road terraces and in contrast to the absence of any particular density of development in Platt Fields Park. The existing development on the site does not amount to an equivalent level of density because of the lesser degree of coverage by buildings. In addition, the proposed 13 storey building would be on land within the site that is largely undeveloped and would be far greater in height than any of the existing development on the site. This would further add to what would be a high density development.
13. As the site does not fall in the Fallowfield District Centre, it would not thus be in a location that Policy H6 considers appropriate as regards high density development. Whilst I would accept that the supporting text to the policy provides some exception as regards the Fallowfield Campus, there is not an indication that such an approach is to be extended to other locations around the district centre. The second part of Policy H6 does not relate the priorities that it sets for housing outside of district centres to permitting high density development and so the proposal also does not gain support from this part of the policy, notwithstanding that PBSA is not on this list of priorities.
14. Policy H12 of the Core Strategy is the main development plan policy which concerns PBSA. Subject to the criteria in the policy, such development is to be supported. Priority is to be given to schemes that are part of the universities' redevelopment plans or which are being progressed in partnership with the universities, and which clearly meet the Council's regeneration priorities. On this issue, it is criteria 3 and 4 that are in dispute between the main parties.
15. Criterion 3 sets out that high density development should be sited in locations where this is compatible with existing developments and initiatives, amidst other considerations. For the reasons that I have set out above, the density of the proposal would be in contrast to that which is in its vicinity and so it would not comply with this criterion.
16. Criterion 4 is centred on demonstrating a positive regeneration impact, and it is matters in relation to the mix of uses, support for the district centre and integration where the main parties views' differ. The proposal itself would not reasonably constitute a mix of uses because it would all relate to student accommodation and ancillary facilities, apart from one room that could be

booked by the wider community. Nor would there be a housing mix because it would all be given over to students. Whether it would result in private housing stock been brought back into non-student use cannot be said with any great certainty because it is not known where the future occupiers would come from or their accommodation preferences. Furthermore, I was informed that student numbers have increased and as a result so would the need for accommodation for this type of occupier, which includes private housing stock.

17. The proposal would support the district centre in that the services it contains are largely given over to student related custom, albeit it would likely further exacerbate the skew of such services towards students with the proposed occupation levels. The spend of the occupiers of the proposal would also support the centre in times when such locations can face ongoing challenges due to the growth of on-line sales, in particular.
18. As the proposal would be a substantial and largely self-contained development of student accommodation, the potential for it to closely integrate with the existing neighbourhood would be of a limited nature. Good management would not amount to such integration because of the nature and level of its occupation by solely students and as it would support vibrancy only in as far as the student services and population, rather than that of the settled local residents. The room that could be booked by local residents would be a modest feature compared to the overall development. The Council's South Manchester Strategic Regeneration Framework (2008) does not take my deliberations substantively further because this document already contributes towards the evidence which underlined the preparation of the policy, and so is already reflected in this criterion.
19. In drawing these considerations together with regard to criterion 4, it has not been established that the proposal can demonstrate a positive regeneration impact. I would accept that it would support the district centre, but in overall terms mix and integration would count against it. Matters have also been raised over regeneration in relation to the non-designated heritage asset and the effect on the living conditions of local residents, which I set out later in my decision. However, these do not alter my view that such a positive impact would not occur.
20. I conclude that the proposal would not be in a suitable location with regard to the development plan regeneration and housing policies. It would not comply with Policy H6 because it would be a high density development outside of a district centre in South Manchester and so would not address the requirement for housing in the area in a way that would accord with the policy. It would also not comply with Policy H12 criteria 3 and 4 because it would be of high density and as it would not demonstrate a positive regeneration impact.

Need

21. Policy H12 criterion 9 states that developers will be required to demonstrate that there is a need for additional student accommodation or that they have entered into a formal agreement with a University, or another provider of higher education, for the supply of all or some of the bedspaces. The appellant is relying on the need aspect of criterion 9. Whilst there is a letter of support from the university, there is not a formal agreement.

22. The supporting text to the policy refers to a potential oversupply of student bedspaces in purpose built accommodation. Time has however moved on since the adoption of the Core Strategy, and there is agreement through the Statement of Common Ground (SoCG) that there is a need for new high quality PBSA, per se. The dispute centres on need in this location, although criterion 9 does not refer to a locational aspect to need. It is therefore a separate issue and I have already discussed locational considerations above.
23. Nevertheless, need remains a matter of dispute under the reason for refusal and the main parties have provided evidence to support their case. The appellant's updated Student Demand Study reaffirms its need case, and that PBSA is providing less than half of the student accommodation offer. This amounts to around 37,000 students who do not have the choice of PBSA. The appellant has also set out how demand is forecast to grow as student numbers increase, both domestically and internationally. There is not substantive evidence to the contrary.
24. The Council consider that need is to be accommodated in the city centre and the Oxford Road corridor due to the pipeline of such development in those areas and student preference, especially from international students. It also points to a reduction in students in the postcode area where the site is found.
25. Yet, Fallowfield remains a popular location for students. The concerns expressed by interested parties reinforce this position. While I do not dispute the Council's figures over the reduction in students, it has not reached the stage where there are not substantial numbers of students in this area. From the perspective of a student lifestyle, it remains an attractive place to live. There would still be a quantitative need when the forecast rise in students is considered.
26. Clearly, other accommodation options are available for students with a propensity of first year students in university owned accommodation, Houses in Multiple Occupation (HMO) and living with parents for local students, amongst others. However in a qualitative sense, PBSA has the benefit of providing a secure and managed purpose built environment, and so there is also a need in this regard.
27. The Council's recently published draft Housing Strategy (2022-2032) includes reutilising former student accommodation for other purposes. This does not though in itself indicate that there is not a need for student housing. The Council has also referred to objectives that concern not adding to the stock of student accommodation in the south of the city, although this does not reflect current development plan policy. I have also been directed to other reports that the Council has produced which concern providing more PBSA, if private rented accommodation is to be repurposed for market dwellings in order to gain Council Tax receipts. This all represents a somewhat mixed picture in terms of the Council's stance on PBSA and need.
28. With regard to evidence submitted over pricing, making cost comparisons between PBSA and HMO is not straightforward given that they are not an exact comparison in terms of what is on offer. Whether further PBSA development would itself drive down the costs of PBSA is also unclear, given the overall need for this type of accommodation and whether the lowering of costs would have a bearing on the qualitative need in terms of what is on offer. Pricing does not take my deliberations greatly further.

29. The Council has also sought to demonstrate that it has a sufficient supply of PBSA in the pipeline to cater for the need. A number of these sites though do not have planning permission, based on what I was told at the hearing. Accordingly, there is limited assurance at the present time that such sites would proceed. The appellant's evidence is more convincing in this regard as it is more centred on permissions. The bedspace ratio of students to accommodation with the sites in the pipeline would remain the same and as a consequence the need would not be addressed.
30. The Council has also pointed to the repurposing of a site in Victoria Park where it considers that student housing market is not viable. Based on the evidence before me, this seems part of a much wider development that would also involve PBSA, even if it would not be on the Victoria Park site, as well as a number of other types of developments that are either in the city centre or the Oxford Road corridor. To what extent this can be considered comparable to the proposal is questionable and the site circumstances are sufficiently different so as not to change my view on this issue.
31. I conclude that there is a need for the proposal as student housing. It would comply with Policy H12 criterion 9 as the developer has demonstrated there is a need for additional student accommodation.

Non Designated Heritage Asset

32. It is not in dispute that Oakley House constitutes a non-designated heritage asset. It was constructed as a residential villa in the 1830s or thereabouts and is in the Gothic style. Internally, it has been substantially altered due to its former office use. Still, it retains a number of original Gothic revival features, fitting, fixtures and decoration.
33. Externally, the building contains gables with steep pitched roofs and barge boarding, albeit some of the features are more recent or have been altered. It remains set in its own landscaped grounds, with trees and vegetation towards the Wilmslow Road frontage and with the grassed area to the rear, although the original outbuildings have been lost. Its gated carriageway drive off Wilmslow Road remains. The grounds also remain well defined by way of the boundary walls, some of which are of a stone and original construction.
34. The extensions are clear detractors from the building. The south side of the building is much eroded by both the design and scale of the attachment, whilst the grounds to the rear have been significantly disrupted by the intrusion of these extensions. The boundary wall to the Wilmslow Road frontage has been adversely affected by a long bus shelter that is found adjacent to it. The setting beyond the site is also fairly limited to the nearest parts of Platt Fields Park, which itself formed the gardens of a now demolished neighbouring villa.
35. The significance of the asset is defined to a notable degree by the contribution of the internal features. Yet, when viewed away from the extensions, externally it still retains its overall appearance as a villa from that era. The north elevation is still observed from within the site as its principal façade. Parts of the original grounds and gardens continue to contribute, as do the gate piers, garden and boundary walls, driveway and paths. The closest parts of Platt Fields Park also contribute to the significance of its setting. In my view, it is of some historic local interest. Whilst I was referred to English Heritage

guidance over the listing of suburban and country houses, as the asset is not listed, this has a limited bearing on this issue.

36. The removal of the extensions and the reinstatement of Oakley House as a standalone building under the proposal would be of marked benefit as regards its significance. It would better reveal the original architectural form of the building and the ability to understand and appreciate it. There would also be some benefit derived from the proposed landscaping proposals to the former domestic garden up to the Wilmslow Road frontage, in particular with the reduction in the current area for parking and so that the gated former carriageway drive can be better revealed.
37. In terms of internal alterations to the house, and whilst full details are not before me, the surviving plan form and features of heritage significance would be retained. It would also bring this building back into use for amenity and management purposes. This would also be of benefit.
38. Set against this would be the imposition of the proposed 13 storey building on the significance of the house. It would introduce a building of significant scale and massing into part of the site which has been kept largely open. Even though it is the intention to keep this proposed building and the house apart, there would be no great distance and it would appear as an omnipresent feature within the site and when viewed with the house. Whilst views of the two together from Platt Fields Park would be limited, the presence of the proposed 13 storey building would be a contemporary jarring feature when viewed over the house from where Langley and Wilmslow roads meet. Nor can such an effect be considered to be entirely indirect because it would be built on part of the gardens for the house and within the walls.
39. With regard to whether the buildings would form some part of a grouping that the proposed 13 storey building would signify, this would not relate to the significance of the asset or its setting. Prior to the extensions, it would have been the house itself that would have been the dominant building on the site. That the Owens Park Tower on the Fallowfield Campus is itself of considerable height also does not relate to the significance of the asset. That tower is very much a more modern addition compared to the house.
40. Accordingly, there are elements of the proposal that are both of benefit and would cause harm to the significance of the asset. In considering the potential impact, I find that the overall effect would be neutral in weighing these considerations together.
41. This leads me to the conclusion that the proposal would not have an unacceptable effect on the significance of a non-designated heritage asset, Oakley House. Therefore, it would comply with Policy EN3 of the Core Strategy where it states that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance; and that proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

Character and Appearance

42. The townscape in the vicinity of the site is of a varied but not unpleasing character. To the south, there is the largely uniform area of terraced housing that is set out in a tight urban grain and extends up to the district centre. In contrast, Platt Fields Park provides some relief with its green and spacious environment, and as it contains a number of recreation uses. Close to the park boundaries with the site, as well as open grassed areas, mature vegetation and pathways, there is an attractive sunken Shakespearean garden that is laid out in a formal manner.
43. On the opposite side of Wilmslow Road, Fallowfield Campus also contains open areas, but also a number of sizeable buildings. Of note is the Owens Park Tower, a 19 storey building that is a prominent feature in this area. There are also a number of other taller buildings on that side of Wilmslow Road, but progressively further away from the site. These include the Toast Rack building, Worsley Court and Platt Court. A further 11 storey building, known as the New Hollins Building also has gained approval, again on the opposite side of Wilmslow Road and approximately 130 metres to the north.
44. The site falls within the Southern Character Area under Policy EN1 of the Core Strategy, and in this regard Oakley House constitutes the presence of older development. Wilmslow Road is a radial route and Platt Fields Park does constitute formal open space. Hence, there are some attributes of this character area on and in the vicinity of the site.
45. The appellant's Townscape and Visual Impact Appraisal (TVIA) places the site within the Fallowfield Campus and Institutions Local Townscape Character Area. The appeal site though bears little semblance to this educational campus type layout and moreover, it is firmly separated from it by Wilmslow Road, a wide and busy thoroughfare that clearly dissects areas on both sides of the road. In my view, the site shares little in character terms with the campus.
46. The proposed 4 storey building along Langley Road would be of a similar height to the existing building and would bear some semblance to the properties opposite because it would have an elongated form akin to how terraced properties are set out. It would be taller and more modern in its design, but this would not look out of place, especially when the unattractive form of the current extensions on the site are considered. With regard to its appearance from the western boundary with Platt Fields Park, vegetation within the park would soften its appearance in townscape terms.
47. The same cannot though be said of the proposed 13 storey building. It would constitute a tall building under Policy EN2 of the Core Strategy, which defines such buildings as those which are substantially taller than their neighbourhoods and/or which significantly change the skyline. Whilst this would not in itself make it unacceptable, there are not buildings on this side of Wilmslow Road that are comparable as regards its proposed scale and massing. It would be an outlier compared to the taller buildings on the opposite side of Wilmslow Road as it would be well set away from them, including when the distance that it would be set into the site is also considered. Whereas much has been made of the Owens Park Tower, it has not changed the townscape on this side of Wilmslow Road. It is more of a landmark building signifying the Fallowfield campus, rather than informing the broader character of the area.

48. The effect of the proposed 13 storey building would be in stark contrast to the character on this side of Wilmslow Road, even with the variety provided by the considerably more diminutive terraces and the park. Such an effect would be adverse and so be of detriment to the overall townscape character.
49. In relation to the visual impacts, these would be most apparent from Platt Fields Park. Currently, the site has a fairly unobtrusive appearance when viewed from the park because either the buildings are well setback from the boundary or views are filtered by trees from the nearer parts of the park. Such views are of importance to users of the park and those views close to the site have a high susceptibility to change and a high-medium sensitivity. I do not disagree with the appellant's TVIA in this regard.
50. The change in view would though be marked, in particular from the Shakespearean Garden. The proximity of the proposed 13 storey building in particular to this edge of the park would be domineering with its scale and massing. It would create a significant urbanising effect compared to the existing site that would not sit comfortably with the adjacent open parkland. Although not to the same degree, I also find that the change in view would be of detriment from the entrance to Platt Fields Park from Wilmslow Road, and close to the entrance from Mabfield Road. The proposed 13 storey building would be a prominent feature and detract from what are currently generally open and verdant views.
51. In relation to broader views from both the park and Wilmslow Road, the effect would not be so adverse because the proposed 13 storey building would be set further away and so would be more filtered by mature vegetation. The TVIA does not present a viewpoint from along Langley Road itself, but such an effect in my view would be neutral as whilst the unsympathetic extensions would be replaced, glimpses of the proposed 13 storey building between Oakley House and the proposed 4 storey building, and over the 4 storey building, would contribute towards the urbanising effect. This would also be apparent from Riga Road, although it would be framed between the terraced properties and so would also have a neutral effect. I do not though consider that there would be an overall beneficial effect in any of the views.
52. This should not be taken to imply a particular criticism of the architectural design of the proposal, per se, and nor of the independent peer review of the design which took place. It is the divergence of the proposed 13 storey building from the context of the site in relation to the townscape character and the visual impacts which cause my concerns to arise over the effect of the proposal on the character of the area. As a consequence, the imposition of planning conditions would not address such a harm.
53. I conclude that the proposal would have an unacceptable effect on the character and appearance of the area. It would not comply with Policy EN2 of the Core Strategy which, amongst other considerations, only supports tall building development in such a location where it can be shown to play a positive role in a coordinated place-making approach to a wider area, that suitable locations are likely to relate to existing district centres, and that the height of tall buildings in such locations should relate more to the local, rather than the City Centre, urban context.
54. The proposal would also not comply with Policies SP1, EN1 and DM1 of the Core Strategy in this regard where they are concerned with creating well

designed places that enhance or create character as a core development principle; good design principles; appropriate siting, layout, scale, form, massing, materials and detail; impact on the surrounding areas in terms of the design, scale and appearance; and having regard to the character of the surrounding area, amongst other considerations.

55. The proposal would also not accord with the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007) where it is concerned with character and context, buildings relating well to each other, and tall buildings in as far as the location and design of such buildings need careful consideration as they can be viewed from longer distances and have an impact on a much wider area. It would also not accord with the National Planning Policy Framework (Framework) where it conveys good design as a key aspect of sustainable development, and that decisions should add to the overall quality of the area and are sympathetic to local character, amidst other matters.

Living Conditions - Noise, Disturbance and General Activity

56. Both the Council and interested parties have drawn my attention to a number of matters which they attribute to having a high proportion of students in the area. The concerns raised include late night activities and associated noise, crime and anti-social behaviour, and rubbish and littering. This has had an impact on the lives and well-being of local residents who have had to experience the consequences of a lifestyle which does not always easily coincide with that of the more settled local population.
57. Whilst I consider this to be largely dependent on the individual actions of those concerned, given the number of students in the area, this leads to a propensity of such issues arising which are of detriment to the living conditions of local residents. It is also evident that students have also themselves suffered because of some of these activities.
58. From what I heard, particular issues arise from where the students are occupying the terraced properties as HMO because of a purported lack of management and with their juxtaposition to properties that are occupied by settled local residents. This has the potential to heighten the detrimental effect on their living conditions.
59. In contrast, the proposal would operate in a manner that would be more effectively managed, even with the level of occupation that would result. In particular, it would have a concierge, 24 hour on-site management and CCTV. These measures would limit the potential for late night activities and associated noise, crime and anti-social behaviour. It would also include measures for the management and disposal of waste with regard to rubbish and littering. Outside of the site, it would be substantially more difficult to manage such matters, although if this was thought to be attributable to its occupiers, those who manage the proposal could be approached by the relevant authorities. In addition, the proposed student management plan would include measures that seek to keep such noise and disturbance to a minimum.
60. With regard to noise associated with vehicular movements, parking would be limited on site and tenancy agreements would prevent student owned cars at the site. This would also be part of the proposed student management plan. Parking is not restricted on the terraced streets, but as Wilmslow Road is well

served by bus services towards university teaching facilities and with the tenancy controls, widespread car ownership amongst the students would be unlikely. This would not render the proposal unacceptable.

61. It would be highly likely that pedestrian movements would be the predominant way that the students would enter and exit the site. If the likely number of students was using Langley Road, this would raise noise and disturbance concerns during the quieter times at night. The appellant has however offered to close this access at night times to pedestrian movements, so that the students would have to use the Wilmslow Road access. There are not residential properties close to this access and so this would reduce undue noise and disturbance at those times.
62. I conclude that the proposal would not have an unacceptable effect on the living conditions of the occupiers of nearby residential properties in relation to noise, disturbance and general activity. As a result, it would comply with Policies H12 and DM1 in this regard where they concern no unacceptable effect on residential amenity in the surrounding area through increased noise and disturbance; effects on amenity, including noise, litter and vermin; and community safety and crime prevention.

Living Conditions – Visual Impact and Privacy

63. The properties on the south side of Langley Road are set back from their site frontages by modest sized front gardens. They have an arrangement of fenestration on their facing elevations and the Council has referred in its concerns to the living room windows. These properties are separated from the site by Langley Road itself and the associated footways. The extensions on the site are set back by a short distance, save for an entrance feature which projects forward.
64. Whilst the Council's development plan policies seek to protect the living conditions of nearby residents by way of visual impact and privacy, it does not apply strict separation distances. Rather, it is dependent on the context in deciding on the effect on the living conditions of local residents in these respects.
65. In relation to visual impact, the proposed building along the Langley Road frontage would be of similar height to the existing extensions up to eaves level. The roof of the proposed building would then further angle back from the frontage as it gains in height to its ridgeline. A modest gap would be opened up with Oakley House. The proposed building would extend further along Langley Road at its western end, but the current outlook is onto a high wall and a vehicular access. Moreover, the separation provided by the road and the footways would still remain between the entirety of the proposal and the terraced houses opposite.
66. The proposed 13 storey building would be a feature that local residents would be aware of due to its presence and proportions. It would though be well set back from this frontage by a not inconsiderable distance. Hence, neither the proposed 13 storey building nor the proposed building along Langley Road would be overbearing as regards living conditions.
67. Turning to privacy, where there would be facing windows between the proposal and terraced properties, this would not be dissimilar at ground and first floor

level to where properties on these terraced streets already face one another, with the road and footways in between. As such, it would not be a short distance within this context. The living room windows on the properties on Langley Road would simply face the ground floor windows of the proposal across the road. I am not persuaded that the proposed scale of glazing within the ground and first floor windows would make much difference in this regard.

68. Whilst the overall extent of fenestration would be greater, the upper floors of the proposal would face more towards the roof areas of the terraced properties opposite, rather than directly facing towards their existing windows. The usage of the rooms in the proposal would also not differ significantly from more typical residential properties, which also contain bedroom and communal living space for members of the household. Use of rooms for studying would not be unlike people simply working from home. Undue overlooking would thus not occur.
69. I conclude that the proposal would not have an unacceptable effect on the living conditions of the occupiers of residential properties on Langley Road by way of visual impact and privacy. Consequently, it would comply in this regard with Policies SP1, DM1 and H12 where they involve the well-being of residents as a core development principle; the effect on amenity, including privacy; and no unacceptable effect on residential amenity in the surrounding area through impact on the streetscene, amidst other matters.

Benefits

70. The proposal would bring economic benefits through the value of construction and employment. Whilst such a benefit would be for a limited period, it would not be insignificant at £23.5 million¹ and with a workforce of around 80. The future occupiers would also support the economy through their expenditure of an estimated £1.6 million per year in the local area. A small number of jobs would also be generated on-site once the proposal would be operational, with the potential for further employment in the supply chain.
71. By attracting students, there is also the potential for economic benefits when they graduate and if they enter the local job market with the skills they would likely have available to them. The purported benefits with regard to displacing students from HMO accommodation would though have less of a bearing, as there is some doubt in my mind to what extent this would occur, in particular with the need for student accommodation. Contributing to addressing the need itself is however a benefit. The proposal would also provide a quality offer of accommodation and support the higher education sector in the city by providing accommodation for its students. The letter of support from the university ably demonstrates this.
72. The proposal would also bring previously developed land back into use. It would also provide for an efficient use of land in as far as it would bring back the site into use, although this is qualified by way of the harm that I have identified. It would potentially reduce the risk for anti-social behaviour associated with the vacant use. A room would also be provided that would be available for use by the wider community.

¹ Economic Impact Assessment, December 2020

73. The proposal would also bring a non-designated asset back into use and restore internal features, as well as improvements to its grounds, and remove the unsympathetic extensions. Such heritage benefits are however tempered by way of the harm that I have found to the significance of the asset due to the proposed 13 storey building.
74. The proposal would provide environmental improvement through landscaping and this would also have some biodiversity benefit, through the proposed new trees and other planting. There would also be energy efficiency benefits, as the proposal would be built to a BREEAM rating of excellent. Whilst there would likely be some carbon impact associated with the redevelopment of the site compared to a full conversion, there is not substantive evidence that a conversion could be achieved to an equivalent energy efficiency rating.
75. The proposal would also be found in a location that is highly accessible by modes of transport other than by the car and is close to a good range of local services. With the harm that I have found with regard to the effect on the character and appearance of the area, the design of the proposal would not though be of benefit.

Planning Balance and Conclusion

76. Policy H12 is central to my decision because it concerns PBSA. There is agreement between the main parties, including through the SoCG, that all of the criteria in that policy must be satisfied in order for the proposal to be in accordance. As I have found that the proposal would not comply with criteria 3 and 4, it would not accord with that policy. The proposal would also not comply with Policy H6 and Policies SP1, EN1, EN2 and DM1 in as far as character and appearance issues and so similarly it would not accord with these policies. It would comply with EN3. The policies attract significant weight in my decision and save for Policy H6 this is not a particular matter of dispute between the main parties. With the conflict that I have identified with the development plan policies, the proposal conflicts with the development plan as a whole.
77. In relation to the harm that would arise, the proposal would not be in a suitable location with regard to development plan regeneration and housing policies, and it would have an unacceptable effect on the character and appearance of the area. As well as the conflict with the development plan, I have also found conflict with the Framework and the SPD in these respects. I find the harm, when taken together, to be very significant.
78. Set against the harm would be the economic, social and environmental benefits that I have set out. The benefits attract significant weight in my decision. All other matters attract neutral weight. In the balance, the harm would not be outweighed by the benefits.
79. With regard to achieving sustainable development, I have taken into account the relevant matters in relation to the economic, social and environmental objectives of the Framework, notwithstanding these are not criteria against which every decision can or should be judged. I agree with the main parties that limited weight should be given to the policies of both the emerging Places for Everyone Plan and the Manchester Local Plan, due to the stage of preparation they are at.

80. Interested parties have raised a number of other concerns. However, as I am dismissing the appeal on other grounds, such matters do not alter my overall conclusion and have therefore not had a significant bearing on my decision.
81. In coming to my conclusion, I have considered all relevant matters that have been raised. That the proposal would not be in a suitable location with regard to development plan regeneration and housing policies, and would have an unacceptable effect on the character and appearance of the area, are decisive. The proposal conflicts with the development plan as a whole and there are no material considerations to outweigh this conflict. Accordingly, the appeal should be dismissed.

Darren Hendley

INSPECTOR

APPEARANCES

FOR THE APPELLANTS:

John Barrett	of Counsel
Stephen Bell	Senior Director, Turley
Matthew Bowen	Partner, Knight Frank
Stephen Levrant	Principal, Stephen Levrant Heritage Architecture Ltd
Joanna Ede	Director, Turley
Tim Groom	Director, Tim Groom Architects
Kayley Goulbourne	Director, Focus Transport Planning Ltd
Sarah Stirling	Stephen Levrant Heritage Architecture Ltd (in attendance at site visit)
Barry Coltrini	Watkins Jones Group Ltd (in attendance at site visit)
Philip Livingstone	Watkins Jones Group Ltd (in attendance at site visit)

FOR THE LOCAL PLANNING AUTHORITY:

Martin Carter	of Counsel
Robert Griffin	Principal Planner
Nicholas Cole	Strategic Lead, Housing Strategy & Policy
Paul Mason	Group Manager, Urban Design and Conservation

INTERESTED PARTIES:

Kattie Kincaid	SE Fallowfield Residents Group
Sue Hare	Fallowfield Community Gdns
Allan Challenger	Friend of Platt Fields
Sue Evans	Friend of Platt Fields
Dr. Poole	Local Resident
Rashid Mhar	Local Resident
Jill Earnshaw	Local Resident

Hilary Jones	Local Resident
Liam Curtin	Local Resident
Anne Tucker	Local Resident
Simon Lewis	Local Resident
Cllr Jill Lovecy	Rusholme Ward Councillor
Nikita John	Local Resident

DOCUMENTS SUBMITTED AT THE HEARING

- 1 Appearance List on Behalf of the Appellants
- 2 South Manchester Strategic Regeneration Framework (2008)
- 3 Council, Report to Economy Scrutiny Committee – 23 June 2022 Manchester Housing Strategy (2022-2032) and appendices
- 4 Unaccompanied site visit route and viewpoint locations
- 5 USDAW Site – Draft Planning Conditions June 2022 (also submitted prior to hearing)