

Appellant's Statement of Case

Appellant: The Union of Shop, Distributive and Allied Workers (USDAW), Watkin Jones Group Ltd and Wilmslow Road Manchester Ltd

LPA Reference: 2020/01795/PA

LPA: Manchester City Council

Site Address: Oakley, 188 Wilmslow Road, Fallowfield, Manchester, M14 6LJ

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Our reference
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1. Introduction

1.1 This Statement of Case has been prepared by Turley on behalf of The Union of Shop, Distributive and Allied Workers (USDAW), Watkin Jones Group Ltd and Wilmslow Road Manchester Ltd ("the Appellant") to support an appeal against the refusal of a full planning application by Manchester City Council ("MCC") (application ref: 129020/FO/2020) for purpose built student accommodation ("PBSA") at the site of the Union of Shop, Distributive and Allied Workers ("USDAW") head office on Wilmslow Road ("the appeal site"; "the site").

1.2 The description of development as stated on the decision notice is as follows:

"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"

Background to the Appeal

1.3 A full planning application was submitted in December 2020.

1.4 Between March 2020 and August 2021 the Appellant engaged in extensive pre-application and post-submission discussions with officers of Manchester City Council ("MCC") as well as with statutory consultees, the University of Manchester, the local community, and other key stakeholders to seek to address all matters relating to the acceptability of the appeal proposals.

1.5 The Appellant has proactively sought to ensure that the proposals respond to and respect the context of the site and its surroundings. Their approach is reflected by their appointment of leading architects alongside an expert consultant team covering all relevant matters including design, highways, amenity, heritage, townscape, visual impact, arboriculture, and all other environmental considerations.

1.6 The application process involved almost 18 months of engagement including numerous pre-application meetings, two presentations to the Design Review Panel 'Places Matter', and multiple design changes in response to feedback from officers and other consultees.

1.7 Throughout this time, the Appellant and their appointed design team sought to ensure that the proposals will provide a high quality and sustainable solution for the regeneration of the appeal site and sensitive restoration and long term retention of a non-designated heritage asset.

1.8 Among the key objectives of the Appellant was the optimisation of the site and securing best value for USDAW, a non-profit organisation. The site is currently an unattractive and dated office building which has been USDAW's head office since the 1920's. At the point of appeal submission USDAW are part way through vacating the appeal site to new and more appropriate office accommodation to meet their needs.

- 1.9 The underlying key design principles, rationale, and architectural approach adopted by the Appellant remained consistent throughout the application process while also evolving through collaboration with officers, and in response to feedback from consultees and other interested parties.
- 1.10 An extensive programme of local resident and key stakeholder engagement was undertaken alongside the preparation of the application. This included a series of community and residents' workshops, meetings with local ward councillors and the community group, South East Fallowfield Residents Group. Leaflets were issued to surrounding properties and an online consultation portal set up to provide context and background to the proposals and to direct comments/questions.
- 1.11 A pack of supplementary information was submitted in June 2021 in response to comments from MCC Officers. A positive indication of the Appellant's proactive and collaborative approach to the planning application process, and indeed the suitability of the proposals for the site, is evidenced by the absence of any objections from statutory consultees.

Statement of Case

- 1.12 This statement outlines the case that the Appellant intends to put forward at a public inquiry relating to MCC's refusal of planning permission in line with the recommendation of its Officers.
- 1.13 A draft Statement of Common Ground ("SoCG") is also submitted by the Appellant. The Appellant reserves the right to add to the matters contained in this statement and to the list of documents set out. In particular, during the application process MCC were unwilling to provide the Appellant with copies of consultation responses, including the full content of statutory consultee responses; the Appellant reserves the right to add to its case should review of the full content of such responses (when made available through the appeal process) require it.
- 1.14 This statement should be read alongside the separate supporting statements which were submitted with the application as well as the Officer Report, late update report to Planning Committee and the decision notice. The Appellant will progress discussions with MCC on the draft SoCG as the LPA defending the appeal. A draft Core Documents List is provided at Appendix 1.

Reasons for Refusal

- 1.15 The decision notice was issued 3 September 2021 and includes 6 reasons for refusal ("RfR"):
- (a) *The proposal would not give rise to a positive regeneration impact or address the requirement for housing in the area. The proposals do not contain a mix of uses that would support Fallowfield District Centre, would not closely integrate with existing neighbourhoods and are considered to give rise to unacceptable impacts by reason of the density of development and level of proposed occupation. As such the proposals are not considered to accord with policies H6 and H12 of the Core Strategy.*

- (b) *The applicant has not demonstrated a formal agreement is in place with a University, or another provider of higher education for the supply of all or some of the proposed bed spaces, or that there is a need for additional student accommodation within this location, as such it is not considered that the proposals satisfy policy H12 of the Core Strategy.*
- (c) *The scale and massing of the proposed development in close proximity to lower scale residential buildings and the non-designated heritage asset of Oakley House, would give rise to an overbearing visual impact and provide a significant urbanising effect on the edge of Platt Fields Park. It would form an over-dominant feature within the street scene and area, which would have a detrimental effect on visual amenity and character of the area. It is therefore considered to be contrary to policies SP1, EN1, EN2, EN3 and DM1 of the Manchester Core Strategy, guidance contained in the Guide to Development in Manchester Supplementary Planning Document and Guidance and the NPPF.*
- (d) *Due to the height of the proposal there is the potential for the development to overshadow adjacent trees that form an important habitat and have a high visual amenity within Platt Fields Park. In the absence of evidence that the development would not adversely impact on adjacent trees, it is considered that the proposed building, by reason of its scale and height, could have a detrimental impact on existing adjacent trees contrary to policy EN9, EN15 and DM1 of the Manchester Core Strategy.*
- (e) *The proposed development would introduce up to 425 students into an area already experiencing high levels of student accommodation and occupation. It is considered that this provision would give rise to unacceptable impacts on the residential amenity of nearby residential occupiers by reason of noise, disturbance and general activity associated with the comings and goings and occupation of the proposed development contrary to policy H12 and DM1 of the Core Strategy.*
- (f) *The windows within the south facing elevation of the proposed development would result in overlooking over a short distance to the living room windows of existing residential properties on Langley Road to the detriment of the reasonable amenity and privacy of the occupiers. As such the proposal is contrary to policies SP1, DM1 and H12 of the Core Strategy.*

Characteristics of the Planning Appeal

- 1.16 Having regard to the Government's 'Procedural Guide: Planning Appeals - England (2021)' and particularly the content of Annexe F, the Appellant considers that an inquiry represents the most appropriate procedure for this appeal to properly consider all the relevant evidence. Up to six days should be set aside for the inquiry. In the event that the inquiry is held virtually, with shorter sitting hours each day, then eight days would be appropriate.
- 1.17 An inquiry is justified (having regard to the criteria set out in Annexe F) given the substantial scale of the proposals, the multiplicity and diverse matters of relevance and their complexity. The Inquiry is also necessary to ensure that all relevant technical consultants and Officers of the Council have the opportunity to present evidence.

Furthermore, the nature and location of the proposals mean the scheme is of significant local interest, as evidenced by the number of representations made to the application.

2. Appeal Site Location and Context

- 2.1 A detailed description of the appeal site and surrounding area is provided at Chapter 3 of the Planning Statement.

Appeal Site

- 2.2 The appeal site comprises the USDAW Central office and associated landscape and parking areas. The broadly rectangular site extends to circa 0.8 hectares and is located to the north of Langley Road and west of Wilmslow Road in Fallowfield.
- 2.3 The buildings on site comprise Oakley Villa, a large 2 storey building constructed in c1837 and three extension buildings. The three storey extension to the west of the Villa was constructed in 1937 and extended in the 1950's; and the raised 2 storey most western block which includes an open car parking area at ground floor was constructed in the late 1970's/early 1980's. A grassed courtyard over two levels (approx. 1 metre level change) lies behind the southernmost building.
- 2.4 A number of internal building features with heritage value survive within Oakley Villa. A number of the rooms, used as offices and meeting rooms, have wood panelling and fire surrounds dating back to the 1830's. The hallway and staircase is framed by grand carved timber balustrades dating back to the 1880's and a stained glass window. All original joinery and fire places retained throughout the ground floor of Oakley Villa contribute to its local heritage value.
- 2.5 Vehicular and pedestrian access to the site is taken from two locations on Langley Road. Access onto Wilmslow Road is available, and was the original access to Oakley Villa, but is currently gated and isn't in use.
- 2.6 There are two main car parking areas (total of 53 parking spaces) at the eastern and western parts of the site, servicing and delivery vehicles also use the western hard landscaped area.
- 2.7 The Appellant will demonstrate that the appeal site is entirely suitable for the proposed development. The site is going to become fully vacant shortly as USDAW move to new premises in Greater Manchester. The proposals present a sustainable and viable use for the brownfield site.

Surrounding Context

- 2.8 The site lies to the immediate north of the centre of Fallowfield and approximately 5km south of Manchester city centre. The appeal site lies approximately 1.5 miles south of University of Manchester ("UoM") Main Campus, Manchester Metropolitan University ("MMU") Oxford Road campus, the Manchester Royal Infirmary and Corridor Manchester, an initiative area subject to public private partnership.
- 2.9 Fallowfield is a residential suburb in south Manchester which is popular with university students from both UoM and MMU. The area has a lengthy history of being the city's most populous student area.

- 2.10 The UoM Fallowfield campus is adjacent the appeal site and houses approximately 3,000 students across seven halls of residence and is home to a number of UoM's health, welfare and pastoral care facilities. UoM have begun development on an entire redevelopment of the Fallowfield Campus that will see a net increase of 1,033 bed spaces.
- 2.11 The UoM Fallowfield Campus caters for first year students and many students choose to stay in the area in their second and third year of studies.
- 2.12 To the north and west of the site lies part of Platt Fields Park, the sunken Shakespearean Garden lies just north of the north west corner of the appeal site. There are a number of large trees to the north of the appeal site boundary.
- 2.13 Wilmslow Road creates the eastern site boundary with the Fallowfield Campus adjacent. The 19 storey UoM student accommodation block within the campus is almost parallel with the appeal site. The eastern boundary of the appeal site is formed by a large 3 bay bus stop which is managed by traffic lights and allows buses to overtake each other separate to the cycle and vehicular lanes. The bus stop is the largest and most commonly used bus stop in Fallowfield as it takes students to the University teaching campuses and into Manchester city centre.
- 2.14 The southern boundary of the appeal site is formed by Langley Road. The adjacent residential buildings are two storey terraces set back slightly from the back of the pavement. At least a third of the properties adjacent the student accommodation on Langley Road are HMO's. At the corner of Wilmslow Road and Langley Road adjacent the appeal site is a 3 storey apartment building. Beyond Langley Road there are a number of residential streets north of Wilbraham Road which are made up of terrace properties, many of which are HMOs housing university students.
- 2.15 To the west of the application site lies Platt Fields Park with the BMX track, community garden, tennis courts, netball/basketball courts and bike hub all within c. 350m.

3. The Development Proposals

- 3.1 The description of development is set out above and for ease of reference is repeated below:

“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.”

- 3.2 The submitted Design and Access Statement and Chapter 5 of the Planning Statement provide a detailed description of the proposed development and a summary of the design evolution.

- 3.3 In summary, the proposed development comprises:

- The retention, sensitive reuse and enhancement of Oakley Villa, a non-designated heritage asset.
- The removal of the out dated and poorly designed extension to Oakley Villa and replacement with a small single storey contemporary extension of part of the south and west elevation retains and improves the appearance of the Villa. The new accommodation blocks are separated from the Villa to ensure its character and setting is retained.
- The facilities to be provided in the Villa comprise 525sqm of amenity space and includes a games rooms, lounge, library, study spaces, meeting rooms and a community room. There is also space within the Villa for the concierge and management staff room.
- Provision of high quality student accommodation in a popular student location. The accommodation comprises 425 bedrooms and is located in the western two blocks. The 4 storey L-shaped block which fronts Langley Road includes 185 bedrooms with a mix of studios and clusters. The 13 storey northern most accommodation block includes 38 clusters with a total of 365 bedrooms and 60 studios.
- Cluster flats range in size from 5 to 8 bedrooms per cluster and the bedrooms average at 14sqm. All bedrooms have en-suite bathrooms, desk space and include high speed broadband. The cluster flats have communal kitchen/dining and lounge areas with a TV. Each studio includes kitchen facilities and is on average 18.09 sqm.
- Provision of an expertly managed student accommodation scheme that includes a dedicated on-site management team. The Appellant submitted with the application a Site Management Plan prepared by Fresh, a reputable management company with extensive experience in managing PBSA as part of the Watkin Jones

Group. The appropriate management of the accommodation can be secured by planning condition.

- The security of the site will be achieved through an unobtrusive approach that will utilise a combination of CCTV cameras, access control measures, daytime reception services and 24 hour security personnel. Again, such matters can be controlled by planning condition.
- Retention and enhancement of onsite landscaping including the retention of existing mature trees and the provision of generous green spaces, an internal landscaped courtyard with timber seating and ornamental native planting throughout.
- The existing mature trees on site and immediately adjacent the site boundary within Platt Fields Park have been retained and incorporated into the scheme landscape proposals. The development involves the loss of some centrally located trees but these are not mature or of exceptional quality. Where trees are removed, the landscape proposals include for their replacement at a rate of two replacement trees for every tree lost.
- Improvements to the character and appearance of the site, particularly when viewed from Langley Road.

Key Design Principles and Features

- 3.4 The Appellant will provide evidence to show that a design-led approach has been taken to the proposed development of the appeal site from the outset. This approach has had the consistent aim of delivering exemplary architecture based on strong design principles to create a new high quality place that respects its context and surroundings.
- 3.5 The key design principles which have shaped the proposed development and the design features that create a distinct proposal include:
- The proposal splits the site into three buildings; the 'L' shaped block running along Langley Road, the linear block to the rear of the site running along the park boundary and the sensitive extension to the existing Villa.
 - The accommodation buildings have been based on a collegiate design with a strong Langley Road frontage using building materiality, tree planting and window features to create a visually attractive street scene.
 - The predominant design rationale for the Langley Road building was to analyse the proportions and features of the surrounding terrace housing and replicate these in a contemporary manner. Features include a pitched roof with dormer windows, traditional brick gables, repeating window bays and brick chimneys.
 - Scale is a key consideration along the Langley Road frontage; to reduce the scale and lower the eave line, dormer windows are proposed within the pitched roofscape at the top floor level. The proposed eave line is lower than the parapet level of the existing building along Langley Road.

- The scheme includes a stepped approach to building height with the taller element set back from Langley Road on the northern site boundary to benefit from the Platt Fields Park setting. The use of large windows and façade detailing on this block ensures the accommodation is attractive when viewed from a distance.
- The linear block along the boundary of Platt Fields Park relates to the park. An increased massing is proposed in this location allowing for views out to the park over the tree line. Window proportions that maximise views out are proposed.
- A sense of horizontality is achieved on the block facing Platt Fields Park through the proposed white Glass reinforced concrete (“GRC”) bands and window headers. This is influenced by the stone banding evident on the existing villa facade.
- Oakley Villa is seen as being the heart of the scheme and a new contemporary extension is proposed to the rear and side of the villa following the form of the historical secondary entrance massing.
- The proposed height of the extension follows the height of the stone banding within the facade of the existing villa at first floor level. Slender white GRC piers relate back to the slender stone piers within the existing bay windows. Proposed large glazed panels allow for strong connections out to the garden courtyard.
- The proposed facade on the extension to the villa is largely glazed to allow for strong connections out to the courtyard garden. It is proposed that full height doors within the elevation can be opened up in the summertime.
- The southern extent of the Villa’s extension includes the provision of a new entrance and external staircase leading up to the proposed community room entrance. The main entrance to the Villa is the existing access on the northern façade.

4. Officer Report to Planning Committee

- 4.1 The Officer Report was published on 26th August 2021 with a recommendation for refusal. The Appellant did not submit any supplementary material after the publication of the Officer Report. A Late Update Report was published by the Council on the day of the planning committee, 2 September 2021.
- 4.2 MCC do not make stakeholder consultation responses publicly available. Despite requests Officers would not provide copies of either statutory consultee responses or any other correspondence submitted by third parties in advance of the planning committee meeting. The Officer Report provides a summary of the responses received which are listed at Figure 4.1.

Figure 4.1: Consultation Responses Received – as summarised in Officer Report

Statutory Consultees	Local Ward Councillors and MP's	Stakeholders and Community Groups
Greater Manchester Ecology Unit	Cllr Zahra Alijah	University of Manchester
MCC Neighbourhood Services (Arborists)	Cllr Ali Ilyas	South East Fallowfield Residents Group
MCC Highway Services	Afzal Khan MP	Friends of Platt Fields Park
MCC Flood Risk Management Team	Withington Cllrs Chris Wills, Becky Chambers and Rebecca Moore	Rusholme and Fallowfield Residents Group
Environment Agency		Withington Girls School
MCC Environmental Health		Holy Innocents Church
United Utilities		Withington Civic Society
Greater Manchester Police Design for Security		Schuster Road and Park Range Residents Association
		Fallowfield and Withington Community Guardians
		Moon Grove Residents Association
		Chorlton Voice

- 4.3 Chapter 6 sets out the Appellant's case and rebuts the Council's position as stated in the Officer Report and endorsed by the planning committee in following the Officer recommendation to refuse the application. The statement also addresses the comments raised by Councillors, stakeholders and local residents as summarised in the Officer Report, where these raise additional material issues.

- 4.4 There are no objections to the proposed development from statutory consultees, subject to planning conditions. The responses received, as far as we are able to establish by reference to the Officer Report, are summarised in this Statement.
- 4.5 As noted earlier, the Appellant reserves the right to add to its case when in receipt of the correspondence received by MCC.

5. Accordance with the Development Plan

5.1 Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The relevant development plan for this appeal comprises:

- The Manchester Core Strategy (CS) (2012)
- Manchester Proposals Map
- Saved policies of the Manchester Unitary Development Plan (UDP) (1995)
- Greater Manchester Waste Development Plan (April 2012)
- Greater Manchester Minerals Plan (April 2013).

5.2 The CS was adopted in 2012 and has a plan period of 2012 to 2027.

5.3 Significant weight should be given to the CS, as those policies of relevance to the appeal proposals remain consistent with the National Planning Policy Framework ("NPPF").

5.4 The SoCG as progressed during the appeal process will outline which of the policies MCC agree the proposals are in accordance with. The Appellant has presented a development plan - compliant case during the application and maintains this.

5.5 The reasons for refusal contend that the proposals are contrary to following policies:

- SP1: Spatial Principles
- H6: South Manchester
- H12: Purpose Built Student Accommodation
- EN1: Design Principles and Strategic Character Areas
- EN2: Tall Buildings
- EN3: Heritage
- EN9: Green Infrastructure
- EN15: Biodiversity and Geological Conservation
- DM1: Development Management

5.6 The Appellant will demonstrate that the appeal proposals fully comply with these policies and the assessment within the Officer Report has failed to weigh significant benefits, as outlined within the application submission, in favour of the appeal proposals.

5.7 Chapter 6 of this statement sets out further the Appellant's case, including in respect of the full accordance of the proposals with the development plan.

6. Appellant's Case

- 6.1 The Appellant will demonstrate that the appeal proposals should be approved without delay when considered against the development plan, other material considerations, and the overall planning balance.
- 6.2 In doing so the Appellant's evidence will cover the following key themes:

Redevelopment of an underutilised site and enhancements to a non-designated heritage asset

- 6.3 The NPPF requires planning decisions to promote an effective use of land, including the re-development of previously-developed (brownfield) land where possible. Substantial weight should be given to the value of using suitable brownfield land, and proposals which will secure the development of under-utilised land should be supported¹.
- 6.4 The CS encourages the reuse of previously developed land wherever possible². MCC's target is for 90% of new development to be on previously developed land, in line with historic trends and to ensure a sustainable approach is taken with regard to the use of land as a limited resource³.
- 6.5 Policy EC2 of the Core Strategy confirms there are circumstances where it will be appropriate to support alternative uses for existing employment uses. This broadly focuses on sites where it would be unproductive to protect the land for employment uses, either because employment is unviable, there is limited demand or an alternative use would bring more benefits to the City.
- 6.6 The site as existing is unsuitable for employment use due to its location in a suburban area and the poor quality of the accommodation. The Commercial Market Assessment demonstrates it is neither appropriate, suitable nor acceptable against modern standards⁴. This has not been disputed by MCC; the principle of redeveloping the site for non-employment uses is not opposed.
- 6.7 USDAW is a not for profit organisation and is currently in the process of vacating the Fallowfield site and relocating to modern office accommodation elsewhere within Greater Manchester. It is crucial for USDAW to secure best value for the sale of the site and to find a new purpose for the site to avoid it becoming vacant over the long term. The site is visible and centrally located within Fallowfield and therefore is at risk of attracting unwanted attention and being host to anti-social behaviour if left vacant over an extended period.
- 6.8 The PBSA proposals are of an exceptionally high architectural quality and will regenerate the site, an underutilised site and out-dated office building, in a suburban area popular with students. The scheme design makes efficient use of land by retaining and providing

¹ HM Government (2021), Paragraph 120 and 123, National Planning Policy Framework

² Policy SP1, Manchester Core Strategy

³ Paragraph 12.88, Manchester Core Strategy

⁴ CoreDocument 1.7: Commercial Market Assessment prepared by Edwards and Co

a viable and sustainable future for the existing Villa, introducing high quality new accommodation, and ensuring the site's green environment is retained and enhanced.

- 6.9 In accordance with paragraph 190 of the NPPF which seeks to provide a positive strategy for the conservation and enjoyment of the historic environment, MCC seeks to maximise the City's distinctive historic environment by implementation of Policy EN 3 (Heritage). This policy requires new developments to be designed to support MCC in preserving, or where possible enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance. The policy further states:

"Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset."⁵

- 6.10 The site as existing is of poor design quality, due in part to the piecemeal extensions to the office accommodation (as explained within the Heritage Statement accompanying the application). Oakley Villa is an asset that is not complemented by its current adjoining and surrounding built development.
- 6.11 While the exterior of Oakley Villa is fairly unremarkable, Tim Groom Architects have worked with Stephen Levrant Heritage Architecture to ensure it is retained and enhanced by separating Oakley Villa from built form and setting the building away from the proposed accommodation buildings and avoiding development to its front (east).
- 6.12 The scheme will see the internal heritage features of importance improved and protected and the important external features retained.
- 6.13 The appeal proposals have been subjected to two Design Review Panel meetings and both discussions have had positive outcomes that have supported the Appellant's approach to preserving and enhancing the important heritage features of the Villa.
- 6.14 The Appellant will demonstrate in evidence that they have taken a design-led and contextual approach to their proposals for the site from the outset and improvements to the non-designated heritage asset has been a key design consideration.
- 6.15 The proposed development will convert Oakley Villa to high quality communal and social space for students and locate the reception, management and support staff in this building. The protection and ongoing maintenance of the internal heritage features within the Villa for the lifetime of the development can be secured via a Section 106 Agreement requiring a conservation plan to be agreed by MCC and thereafter implemented.
- 6.16 The heritage enhancement arising from the proposal is a key regeneration benefit.
- 6.17 The proposed development improves the character and appearance of the site and the setting of the non-designated heritage asset⁶ in accordance with CS Policies EC2, EN3, SP1 and DM1 and Chapters 12 16 of the NPPF.

⁵ Policy EN3, Manchester Core Strategy

⁶ Core Document 1.8: Heritage Statement prepared by Stephen Levrant Heritage Architecture

Appropriate scale, quality and quantity of development

6.18 The Design and Access Statement submitted with the application demonstrates how the schemes design evolved prior to the submission of the application. Matters relating to scale, layout and quantum of development were approached as an iterative process during the scheme's design to ensure the key design principles (see chapter 3 above) were achieved.

6.19 The Officers Report states at page 37:

"It is considered that whilst the applicant proposes a high quality, sustainable buildings the proposed scale and massing would not make a positive contribution to place making and would appear as a dominant feature within a lower scale environment. Whilst large-scale towers do lie to east and north east of the site, the application site lies within an area of lower scale buildings."

6.20 There is no dispute that the building proposed is of high quality and sustainable.

6.21 The Appellant will evidence that the scale and massing is appropriate in this suburban location in close proximity to other buildings of height. The evidence will demonstrate that the scheme's layout and design ensures it will act as a nodal feature in the townscape and complement the surrounding high density but lower scale environment. The proximity to other buildings of scale demonstrates that buildings of scale are not unacceptable in this location.

6.22 Chapter 11 of the NPPF relates to efficient use of land and maximising densities. Higher densities and buildings of scale are expected in suburban and highly sustainable locations in metropolitan cities, such that this location represents.

6.23 The Appellant will evidence that the scale and quantity of development will contribute to place making by providing well designed, expertly managed and high quality PBSA in a location popular with students. For the end users of the proposed development the proposals will contribute significantly to their experience of place by being in close proximity to support and welfare offering at the adjacent UoM Fallowfield Campus.

6.24 The Design and Access Statement demonstrates, with the support from the Design Panel Review, that the scheme is of an appropriate design and density and will have a positive influence on the character and appearance of the surrounding area. This is confirmed in the Townscape and Visual Impact Assessment.

6.25 The UoM letter of support identifies the scale of the proposals as a positive:

"The development is at a human scale reflective of its local context and includes valuable and high quality amenity and open space..."

6.26 The appeal proposals do not cause any adverse impact or harm to the local area. The appeal proposals are supported fully and extensively by a range of technical documents and assessments which demonstrate compliance with CS Policy DM1 and confirms the acceptability of the proposed development and the absence of any significant adverse impacts.

- 6.27 The technical assessments have shown that the proposed development would satisfy the requirements of policies relating to heritage, trees, highways, flood risk, amenity, noise, air pollution and biodiversity. Possible impacts will be monitored as part of the demolition and construction process and any harms will be minimised and mitigated in accordance with the advice of the Appellant's technical consultants.
- 6.28 The technical documents demonstrate the following mitigation measures and scheme benefits:
- Enhancement and long term protection of a non-designated heritage asset.
 - Protection of the majority of existing trees on site and additional soft landscaping to improve the setting of the non-designated heritage asset and design quality of the scheme.
 - Improvements to the public realm including the provision of trees along the Langley Road site frontage.
 - Reduction in the number of private vehicles visiting the site – 180 USDAW staff members have visited the site over recent years with no limitation on car use; and the appeal proposals are essentially car-free and evidence will show this can be successfully managed.
 - Provision of expertly managed PBSA with 24 hour security.
 - A comprehensive drainage strategy has been prepared which includes a landscaped attenuation basin to ensure the site can be drained appropriately without increasing the risk of flooding off site.
 - The Noise Impact Assessment demonstrates that a suitable noise environment can be achieved at the development and the proposals are not likely to generate noise impacts for surrounding residents.
 - The Ecological Appraisal identifies some habitats of principal importance, including an area of deciduous woodland just outside the appeal site boundary. Suitable mitigation measures during site clearance and construction will ensure there are no direct or indirect impacts on these habitats. The landscaping scheme will ensure that the site's biodiversity is maintained and enhanced where possible with a net gain in biodiversity overall.
 - No air quality impacts have been identified during the operational phase of the development. The Air Quality Assessment identifies mitigation measures in respect of the demolition and construction phase which have been incorporated into the Construction Environmental Management Plan.
- 6.29 The consultation responses from statutory consultees have raised no objection to the proposed development.

Meeting the need for competitively priced purpose built student accommodation

- 6.30 MCC's own evidence acknowledges there is a need for more PBSA in Manchester as the lack of supply is having adverse consequences on the mainstream housing market and the affordability of Manchester as a place to study.
- 6.31 This need has been explicitly acknowledged by MCC through Executive endorsement and the determination of other planning applications. The redevelopment of the site for student accommodation will help satisfy this city-wide need for student accommodation and more competitively priced PBSA.
- 6.32 PBSA in this location of high demand will offer students a high quality and suitable alternative to shared housing and HMOs in the area, thus helping to draw students out of housing more suitable for non-student residents; a key policy objective and one which would convey social, economic and environmental benefit.
- 6.33 At a national and local level, and particularly as a result of the Covid-19 pandemic, there is a greater focus on student wellbeing⁷. Evidence suggests student preferences for accommodation are changing and there is a greater demand for high quality accommodation, with students willing to pay a premium for access to certain amenities, including for example 24 hour security⁸.
- 6.34 The UoM letter of support recognises the wellbeing benefits proposed and considers this offering separates it from other PBSA schemes being brought forward in and around the city centre where land is more constrained and costly.
- 6.35 The proposal complies with CS Policy H12, the development plan policy of greatest relevance. As demonstrated at Chapter 7 of the Planning Statement and below within this statement, each criterion of Policy H12 is satisfied. Given the UoM's letter of support, the policy points to the proposed development being treated as a priority.
- 6.36 There is deviation from MCC's Policy H12 review and recently endorsed policy ideas on PBSA in respect of the location of the proposals (and in no other respect); but this needs to be weighed against the compliance with Policy H12, wider development plan policy compliance, and other material considerations that weigh in favour (e.g. the NPPF).
- 6.37 MCC's rationale for directing student accommodation to the Oxford Road corridor is underpinned by encouraging sustainable travel and supporting student wellbeing. The location of the site and both the proposed design and approach to management can achieve those objectives to the same degree; the UoM acknowledge this in lending their support.
- 6.38 The Officer's Report fails to acknowledge the evidenced need for student accommodation (neither their own evidence nor the evidence presented in the submitted Market Student Demand Study, which in itself is a demonstration of need).

⁷ <https://www.endsleigh.co.uk/press-releases/demand-student-wellbeing-support-set-continue/>

⁸ Student Accommodation Survey 2021, Knight Frank

- 6.39 The Appellant will provide updated evidence on the matter of need and demand for student accommodation in Manchester. This evidence will address student preferences in terms of location of accommodation and demonstrate that domestic students need to be better catered for in Manchester with more competitively priced accommodation.

Economic, social and environmental benefits

Economic Benefits

- 6.40 The proposed development will convey notable economic benefits, experienced locally and at the City scale:

- During the construction phase, the proposed development would generate 60 net direct jobs and 30 net indirect jobs within the construction industry and associated supply chains.
- The value of the construction of the development is estimated as circa £23.5million, and is estimated to employ a workforce of around 80 during the estimated 2 year construction period.
- During the operational phase of the proposed development, approximately 5 full-time equivalent jobs will be created, in addition to investment in the local supply chain.
- The 425 no. students who will live within the proposed development are expected to spend a total of more than £1.4 million per year in the local area.
- Where the development succeeds in displacing HMO accommodation by providing a realistic alternative, up to £1.7 million in additional retail and leisure expenditure could be generated by new occupants of former student HMOs. A significant proportion of this expenditure would be retained locally, supporting businesses in Manchester and the district centre of Fallowfield. Up to £110,000 per annum in Council Tax revenue could be collected by the City Council following the re-occupation of former student HMOs.
- The proposed development would attract footfall into the area, encouraging further investment to take benefit from the opportunities of increased activity in the area.

Social Benefits

- There will be enhanced appreciation of Oakley Villa, a non-designated heritage asset, through the retention of key internal heritage features, providing a distinct purpose to the building and the decoupling of unsympathetic built development from the Villa. Its setting would be enhanced and its valuable internal features protected.
- The provision of a bespoke PBSA offering in Fallowfield with communal, social and management facilities including a 24 hour onsite security, concierge service, management team to help arrange social events, games room, meeting rooms, library and secure undercover cycle storage, will serve to enhance student wellbeing. This is explicitly recognised by the UoM in its letter of support.

- The proposed development will ensure the site is brought into beneficial use and the site will not lay vacant for a lengthy period, with the risk of antisocial behaviour arising.
- For the reasons given earlier, the provision of new high quality student accommodation at a competitive price point can help free up existing HMOs providing the opportunity to return properties to the mainstream housing market.
- Well managed PBSA is clearly preferable to HMOs in managing anti-social behaviour. The Appellant will demonstrate its track record in successful management of comparable developments.

Environmental Benefits

- The proposed development would deliver high density PBSA on a site no longer suitable for its current office use, representing an efficient use of land.
- The proposed development would deliver improvements to the public realm, including the provision of trees along the Langley Road frontage and a high quality landscaped scheme within the site.
- The proposed development would deliver an energy efficient building which will achieve a BREEAM rating of 'Excellent and CO₂ reduction in excess of Building Regulations and local policy requirements. The existing buildings are highly inefficient in their energy consumption; the new development would represent a significant net improvement.
- The development would essentially be car-free with car parking spaces limited to staff and those requiring a disabled parking space. The application site is highly accessible to public transport and other sustainable modes of transport, minimising potential impacts on climate change. This compares to the most recent use of the site with c.180 occupants generally making use of the private car.

Accordance with the Development Plan

- 6.41 Chapter 6 of the Planning Statement confirms the relevant Development Plan Policies and material considerations of relevance to the determination of the appeal and Chapter 7 demonstrates compliance with all relevant CS Policies. The Planning Statement demonstrates alignment with all MCC initiatives and plans, including recognising the vision to be in the top rank of European and world cities⁹.
- 6.42 It will be evidenced that the proposed development accords with all relevant policies of the Development Plan. In respect of the Development Plan policies that MCC contend, in its RfR, the proposed development is contrary to, we address those in respect of each RfR further below.
- 6.43 Planning policy on PBSA in Manchester is principally addressed by Policy H12 of the adopted CS; it is the most relevant Development Plan policy in the determination of the appeal. Policy H12 is a permissive policy, in that it lends its support to PBSA development

⁹ See paragraph 6.10 of the Planning Statement.

within the city provided it satisfies the criteria of the policy. It follows that if each of the 10 criteria are met, the proposals benefit from the support of Policy H12.

- 6.44 The Appellant will demonstrate compliance with all of the criteria of Policy H12 and therefore demonstrate that the proposed development benefits from the support of the most relevant policy of the Development Plan. It will do so on the following basis.

Policy H12: Purpose Built Student Accommodation

- 6.45 The first paragraph of the policy states that:

"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" (our emphasis).

- 6.46 As has been stated earlier, and returned to below, the proposals have been worked up in discussion with UoM and benefit from the University's support (see Appendix 2 of the Planning Statement), and the proposals will convey significant regeneration benefits consistent with the City Council's priorities (e.g. economic development, providing student accommodation choice, protecting and enhancing heritage). Given compliance will all criteria of the policy, as explained below, 'priority' should be given to this scheme.

Criterion 1. Sites should be in close proximity to the University campuses or to a high frequency public transport route which passes this area.

- 6.47 Paragraphs 7.7-7.9 of the Planning Statement demonstrate compliance with this criterion, noting that the criterion is presented in the alternative (i.e. it is not necessary to satisfy both elements).
- 6.48 The Appeal site is within close proximity to the UoM Fallowfield Campus and highly accessible by bike and public transport to the teaching campuses in the Oxford Road corridor.
- 6.49 The site adjoins the largest and busiest bus stop in Fallowfield that is serviced by high frequency bus services 24 hours a day. The bus services passing through this stop travel directly to the Oxford Road corridor and to Manchester City centre.
- 6.50 The UoM letter of support recognises the suitability of the appeal site's location.
- 6.51 The Officer Report queries whether there is sufficient capacity on the bus routes to provide students residing in the proposed scheme. The Appellant will submit evidence demonstrating that additional patronage on the bus service is capable of being accommodated if needed, but in any event this is not a test of the policy. This criterion of Policy H12 is satisfied.

Criterion 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 energy proposals plans as required by Policy EN 5.

- 6.52 Paragraphs 7.10 – 7.13 of the Planning Statement demonstrate compliance with this criteria, in so far as it is relevant.
- 6.53 The site is not in the Regional Centre or the Oxford Road corridor and therefore compliance is not required.
- 6.54 However, the Appellant has ensured sustainability has been integral to the design process and the proposed scheme includes elements of low and zero carbon technology. The proposed development will achieve BREEAM Excellent and includes air source heat pumps, electric heating and electric vehicle charging points.
- 6.55 The Officer Report acknowledges that the buildings are sustainable.
- 6.56 This criterion of Policy H12 is satisfied as far as it is relevant.

Criterion 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.

- 6.57 This criterion is dealt with in relation to RfR 1 below. The Appellant will demonstrate that the appeal site is an appropriate location for this proposal and that there will be no increase in on-street parking in the surrounding area.

Criterion 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.

- 6.58 This criterion is dealt with in relation to RfR 1 below. The Appellant will demonstrate that the proposals will have a positive regeneration impact and will integrate with the existing neighbourhood.

Criterion 5. Proposals should be designed to be safe and secure for their users, and 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.

- 6.59 Paragraphs 7.47 – 7.50 of the Planning Statement demonstrate compliance with this criterion.
- 6.60 Greater Manchester Police have raised no safety concerns with the proposals and have suggested minor mitigation measures that the Appellant will provide¹⁰. The Officer

¹⁰ See Appeal Document 3.01: Crime Impact Statement, prepared by Greater Manchester Police

Report confirms that the proposal could achieve adequate security measures with appropriate conditions.

- 6.61 This criterion of Policy H12 is satisfied.

Criterion 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 streetscene either from the proposed development itself or when combined with existing accommodation.

- 6.62 This criterion is dealt with in relation to RfR 1 below. The Appellant will demonstrate that the design and layout of the proposal is acceptable and there will be no unacceptable impact on residential amenity in the surrounding area.

Criterion 7. Where appropriate proposals should contribute to the re-use of Listed Buildings and other buildings with a particular heritage value.

- 6.63 Paragraphs 7.57 – 7.64 of the Planning Statement demonstrate compliance with this criterion.

- 6.64 As referenced above in respect of regeneration benefits, the Officer Report acknowledges the benefit associated with the retention, refurbishment and re-purposing of Oakley Villa.

- 6.65 The proposal provides the Villa with a sustainable and viable future and one which will retain its valuable features and celebrate its history. The removal and demolition of the unsightly southern extensions will help restore the asset to its former glory and will be complemented by the retention of existing mature trees on site and the provision of a high quality landscape.

- 6.66 As referenced above, the retention and protection of the heritage features within Oakley Villa can be secured for the life of the development via a Section 106 Agreement.

- 6.67 This criterion of Policy H12 is satisfied and this is a key benefit of the proposals.

Criterion 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.

- 6.68 Paragraphs 7.65 – 7.68 of the Planning Statement demonstrate compliance with this criterion.

- 6.69 The Officer Report states:

“A waste management strategy has been submitted that would fall short of the standards for City Council in terms of its size. It is considered that if the proposals were considered acceptable in principle this matter could have been successfully resolved.”¹¹”

- 6.70 The Appellant was not notified of any objection to the submitted waste management strategy during the determination of the application. The Appellant was not given the opportunity to address this concern during the determination of the application and considers the Waste Management Strategy submitted with the application to demonstrate compliance with MCC’s requirements for waste management.
- 6.71 With further information on the nature of MCC’s concerns the Appellant can consider any necessary adjustments to the Waste Management Strategy, but this is a matter that can in any even be addressed through a planning condition.
- 6.72 This criterion of Policy H12 is satisfied.

Criterion 9. 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.

- 6.73 This criterion is dealt with in relation to RfR 2 below. The Appellant will demonstrate that there is an acknowledged need for additional student accommodation and that there is University support for the proposals in this location.

Criterion 10. Applicants/developers must demonstrate to the Council that their proposals for purpose built student accommodation are deliverable.

- 6.74 Paragraphs 7.76 – 7.78 of the Planning Statement demonstrate compliance with this criterion.
- 6.75 The proposed development will be developed by Watkin Jones Group, a student accommodation provider with a proven track record of delivering high quality, popular and well managed accommodation across the UK and historically, elsewhere in Manchester.
- 6.76 Watkin Jones Group will act as both developer and contractor. A full design and engineering team is in place and has informed the design of the proposals. A detailed delivery programme has been prepared and there are no known technical constraints to the delivery of the scheme.
- 6.77 This criterion of Policy H12 is satisfied.

Other Material Considerations

- 6.78 In addressing each RfR and more generally it will be demonstrated that the proposals accord with and derive support from a range of other material considerations, including the NPPF, which is to be afforded significant weight. The Appellant will address in evidence the Policy H12 ‘interim review’ which MCC has undertaken, with its Executive

¹¹ Planning Committee Officer Report, page 34

Committee endorsing a number of ‘policy ideas’ (identified as criteria A-J) as material considerations when determining planning applications for PBSA. The Appellant will demonstrate that this review does not supersede, replace or outweigh Policy H12. In view of the non-statutory and obvious limitations of the review exercise the Appellant will contend that any deviation from the ‘criteria’ contained in this interim review, including in relation to the location of the proposed development, cannot be afforded anything more than limited weight in the determination of the appeal.

Addressing the Reasons for Refusal (“RfR”)

RfR 1) The proposal would not give rise to a positive regeneration impact or address the requirement for housing in the area. The proposals do not contain a mix of uses that would support Fallowfield District Centre, would not closely integrate with existing neighbourhoods and are considered to give rise to unacceptable impacts by reason of the density of development and level of proposed occupation. As such the proposals are not considered to accord with policies H6 and H12 of the Core Strategy.

Policy H6: South Manchester

- 6.79 The Appellant questions the degree to which this policy is relevant as it is concerned with housing development (PBSA being a *sui generis* use), and Local Plan policy on PBSA accommodation is provided within H12. If it is deemed to be relevant the Appellant contends no conflict arises and will evidence this.
- 6.80 The RfR includes reference to the proposal not addressing the requirement for housing in the area. This is not a stated requirement of Policy H6. The policy supports the delivery of 5% of the City’s housing requirement within the South Manchester area, it does not state that proposals will be adjudged on whether they provide housing or not. Furthermore, the site is not in existing residential use so there will be no net loss of housing as a result of the proposals. The policy ‘prioritises’ housing which meets identified shortfalls – the Appellant contends and will evidence that there is a clear shortfall in PBSA within the City.
- 6.81 The RfR challenges the density of development and references the lack of a mix of uses that would support Fallowfield District Centre. Policy H6 states:
- “High density development in South Manchester will generally only be appropriate within the district centres of Chorlton, Didsbury, Fallowfield, Levenshulme, and Withington, as part of mixed-use schemes.”* [our emphasis added]
- 6.82 The policy does not preclude high density PBSA outside of, or in this case very close to, Fallowfield district centre. The policy only ‘generally’ expects high density, and mixed use development to be located in the district centres. Therefore, proposals that entail high density development beyond district centre boundaries do not generate conflict with the policy.
- 6.83 The policy does not require every development (residential or otherwise) to contain a mix of uses that would support the district centre; again this is only a ‘general’ expectation. The Appellant will contend that the proposed development contains a range of uses complementary to the principal student accommodation and overall introduces uses that will help to support and sustain the Fallowfield District Centre.

- 6.84 In so far as the policy is relevant the proposed development causes no conflict with it to substantiate MCC's RfR.

Policy H12: Purpose Built Student Accommodation

- 6.85 The Policy H12 criteria considered to be relevant to RfR 1 are: criterion 3: compatibility with existing developments; criterion 4: positive regeneration impact, and part of criterion 6: effect on residential amenity in the surrounding area.
- 6.86 Each of the criteria are addressed separately below.

Criterion 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.

- 6.87 Paragraphs 7.14 - 7.18 of the Planning Statement demonstrate compliance with this criterion.
- 6.88 The Officer's Report does not substantiate the claim that *"the proposals would not be compatible with existing developments of this area..."* despite the appeal site being centrally located in an area highly popular with students, close to the Fallowfield District Centre and adjacent to the UoM Fallowfield Campus.
- 6.89 As referenced above in respect of scale, quality and quantity of development, the application submission, notably the Design and Access Statement and Townscape and Visual Impact Assessment, demonstrate the suitability of the site for the proposed development in respect of design, scale and massing.
- 6.90 The site is already developed to a high density. The scale and form of the proposed development has been carefully designed relative to its context (including the high density development within the UoM Fallowfield Campus and elsewhere) and the residential character will be more consistent with the surrounding area.
- 6.91 The scheme complements Fallowfield District Centre and does not detract from Platt Fields Park. The proposals are entirely in keeping with the character of the area, including the buildings of height located to the east and north east of the site.
- 6.92 The number of bedspaces proposed is entirely compatible with existing developments and the surrounding area. Fallowfield is a thriving district centre and one which offers a wide range of services including retail, all of which lie a short walk from the site.
- 6.93 The submitted Economic Statement demonstrates the economic benefits of the scheme to the local area, including Fallowfield District Centre.
- 6.94 It is no part of MCC's reasons for refusal that the proposals will contribute towards existing on-street parking problems. The Appellant will in any event address this in evidence. As referenced above, the number of vehicles visiting the site will be significantly reduced as the recent use attracted 180 staff members to the site, many of whom had to park on nearby residential streets. A car-free policy will be implemented,

restricting students from bringing private vehicles to the site by including this within tenancy agreements. It is noted no objection was raised by the local Highway Authority.

6.95 This criterion is satisfied.

Criterion 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.

6.96 RfR 1 relates to this criterion as it states that the proposal will not give rise to a positive regeneration impact.

6.97 Paragraphs 7.19 – 7.46 of the Planning Statement demonstrate compliance with this criterion.

6.98 The Planning Statement details the following regeneration benefits of the proposals:

- Supporting Manchester's higher education offer by providing high quality and competitively priced PBSA including
 - 24 hour onsite security and management staff to alleviate some of the existing challenges in the area associated with anti-social behaviour
 - High quality indoor and outdoor amenity space – unparalleled by any centrally located PBSA scheme
- The well managed accommodation will help to alleviate some of the existing challenges in the area associated with anti-social behaviour, whilst
- Providing student accommodation choice and supporting the 'recovery' of traditional housing stock from HMO's in line with the City Council's initiative for Fallowfield
- Making efficient use of a poor quality and out dated office building on a brownfield site that is no longer suitable for its existing employment use
- Conveying heritage benefit by retaining, refurbishing and repurposing the non-designated heritage asset, Oakley Villa
- Providing economic and social benefits including:
 - increasing expenditure in Fallowfield District Centre and contributing to the vibrancy of the neighbourhood by supporting the numerous bars, restaurants, takeaways and local shops in close proximity

- increasing employment opportunities during construction and operational phases
- Increased Council tax revenue as HMO's are re-occupied by the working population.

- 6.99 The Officer Report acknowledged that there would be a positive regeneration impact caused by the retention, refurbishment and re-use of Oakley Villa¹². Similarly, the Officer Report recognised regeneration benefits from the creation of jobs at the construction phase and the monetary expenditure within the local economy as a result of the increase in student population. The Officer Report also notes that the retention of USDAW staff within Greater Manchester.
- 6.100 The Officer Report fails to recognise the other regeneration benefits in the assessment of the proposals. The Appellant will demonstrate that MCC has understated the regeneration impacts of the proposals in its assessment against Policy H12 and failed to afford those impacts appropriate weight.
- 6.101 The "Description" and "Proposal" sections of the Officer Report outline benefits by referencing the loss of existing poor quality built development yet the Report fails to acknowledge these benefits in the appraisal of the scheme. The case made within the Officer Report is unreasonable and unsubstantiated in concluding that a positive regeneration impact will not be achieved because of behavioural reasons as a result of the end user¹³.
- 6.102 The Appellant will demonstrate by reference to the demand assessment submitted with the application other appeal decisions that PBSA in this location has the potential to help reduce demand for HMOs in the area, assisting in the objective of bringing such properties back in to use as family housing. The availability of competitively priced PBSA in an area of choice, which this proposal represents, can make a notable contribution to this objection.
- 6.103 The Appellant will also present its case that a PBSA in this location will reduce the prospect of students from moving to adjoining suburban locations such as Withington, Chorlton and Didsbury.
- 6.104 The Appellant's evidence will also highlight the constraints to delivery of PBSA across Manchester that are impacting regeneration initiatives elsewhere. MCC's own evidence suggests city centre private rented sector housing is being rented by students to take up the strain from a lack of PBSA. MCC is directing PBSA to a constrained urban area where land values are higher and space is a premium. The quality and price of the bedspaces able to be delivered in these locations does not cater for all budgets, particularly domestic students. The proposed development therefore represents part of the solution to meeting needs and supporting regeneration.
- 6.105 There is no evidence that the proposals would cause pressure on existing neighbourhood services to the detriment of existing residents; if this were evidenced the Appellant

¹² Planning Committee Officer Report, page 32

¹³ Planning Committee Officer Report, page 33

would be prepared to contribute to the enhancement of such services proportionate to any impact caused.

6.106 This criterion is satisfied.

Criterion 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 streetscene either from the proposed development itself or when combined with existing accommodation.

6.107 Paragraphs 7.51 – 7.56 of the Planning Statement demonstrate compliance with this criteria.

6.108 The Design and Access Statement demonstrates how the layout, siting and relationship with neighbouring land uses have directly influenced the design evolution of the scheme.

6.109 The Appellant will provide evidence to demonstrate that the proposals have no unacceptable effect on residential amenity in the surrounding area or adversely impact on the streetscene.

6.110 The Appellant will reference the lack of any objection from MCC's Environmental Protection Unit.

6.111 This criterion is satisfied.

6.112 Therefore, there is no conflict with the relevant parts of H12 to substantiate MCC's RfR.

RfR 2. The applicant has not demonstrated a formal agreement is in place with a University, or another provider of higher education for the supply of all or some of the proposed bed spaces, or that there is a need for additional student accommodation within this location, as such it is not considered that the proposals satisfy policy H12 of the Core Strategy.

6.113 The relevant section of Policy H12 as referred to within this RfR is criterion 9 which is addressed in full below.

Criterion 9. 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.

6.114 This criterion is presented in the alternative – i.e either aspect can be satisfied in order to comply.

6.115 Paragraphs 7.65 – 7.68 of the Planning Statement demonstrate compliance with this criterion.

6.116 The Officer Report states:

“The application documents indicate there is no formal agreement in place with the Universities although the University of Manchester has been involved in discussions with the application prior to the submission of the application and have offered their written support.”

- 6.117 It is accepted there is no formal agreement in place with a University or another provider of higher education. However, this has not been a requirement of PBSA schemes which have been supported by MCC elsewhere in the city.
- 6.118 UoM has expressed their support for the proposals and this is highly material to the determination of the appeal as are the reasons given by UoM for its support.
- 6.119 As demonstrated in the Planning Statement, MCC’s own evidence demonstrates a need for PBSA within the city. MCC has relied on this evidence in undertaking its review of Policy H12 and setting out a series of ‘policy ideas’ to take in to account in determining planning applications. MCC has also accepted the need for PBSA in recently determining other planning applications. The Appellant’s evidence will draw on up to date evidence to demonstrate need in this location.
- 6.120 The Officer Report states: *“The applicant has not carried out a study on student need but has submitted a Market Student Demand Study and has identified the issue of need within a supporting Planning Statement...”¹⁴*
- 6.121 The Market Demand Statement is in itself evidence of need. The Appellant will reference the submitted Market Student Demand Study in evidencing the significant need for PBSA, including future need based on the pipeline of PBSA schemes in Manchester. The Appellant will also refresh the data previously provided and present an up to date case on need for PBSA including referencing updated publicly available evidence documents.
- 6.122 The UoM support for the proposals is also directly relevant to the question of need.
- 6.123 The RfR refers to need not being proven ‘in this location’. This is not a requirement of the Policy H12 criterion; it is not what the policy requires. In any event, the Appellant will demonstrate that the need for PBSA in this location is indeed pressing as part of an overall need within the city.

RfR 3. The scale and massing of the proposed development in close proximity to lower scale residential buildings and the non-designated heritage asset of Oakley House, would give rise to an overbearing visual impact and provide a significant urbanising effect on the edge of Platt Fields Park. It would form an over-dominant feature within the street scene and area, which would have a detrimental effect on visual amenity and character of the area. It is therefore considered to be contrary to policies SP1, EN1, EN2, EN3 and DM1 of the Manchester Core Strategy, guidance contained in the Guide to Development in Manchester Supplementary Planning Document and Guidance and the NPPF.

¹⁴ Planning Committee Officer Report, page 34

- 6.124 The Appellant will address each aspect of the RfR, specifically in relation to the claimed conflict with Development plan policies.

Policy SP1

- 6.125 Policy SP1 relates to the spatial principles for future growth. It is not clear from the RfR or the Officer Report why the proposals are considered to be contrary to this Policy, or parts thereof.
- 6.126 Pending further clarification from MCC in its Statement of Case, the Appellant assumes the RfR relates to the following element of Policy SP1:

“Core Development Principles

Development in all parts of the City should:-

- *Make a positive contribution to neighbourhoods of choice including:-*
 - *creating well designed places that enhance or create character.*
 - *making a positive contribution to the health, safety and wellbeing of residents...*
 - *...protect and enhance the built and natural environment.”*

- 6.127 The Appellant will evidence how the scheme makes a positive contribution to the neighbourhood and will complement the character of the area. It will do by reference to the contextual design, the technical assessments supporting the application, the absence of any statutory consultee objection and the effective management and enhanced wellbeing associated with high quality PBSA such as that proposed. Evidence will demonstrate the proposals are wholly appropriate for this location and it would not create an over-dominant feature within the street scene or area.

- 6.128 The proposals have been developed in line with feedback received from the Places Matter Design Review Panel (2no. meetings). The Panel were supportive of the proposals and raised no concern with the scale of the built development or the impacts a building of this scale would have on existing nearby residents or users of Platt Fields Park.

- 6.129 The assessments supporting the application demonstrate the proposed development is responsive to its context, minimises and mitigates its impacts and conveys benefit, for instance in landscape and heritage terms.

- 6.130 All aspects of Policy SP1 are satisfied.

Policy EN1

- 6.131 Once again it is unclear as to why MCC contend the proposed development conflicts with Policy EN1 as it remains unparticularised. The Appellant has assumed MCC's case is on the basis of the design being deemed to be out of character and over-dominant.
- 6.132 The Appellant will evidence that the scale and massing of the proposed development in close proximity to lower scale residential buildings and the non-designated heritage asset of Oakley House is contextually appropriate and commensurate with the

prominence of the appeal site's location and its current state of development. The appeal site is located on a key arterial route into Manchester City Centre and located just south of the Oxford Road Corridor. The proposals also sustainably and viably retain and enhanced the setting a non-designated heritage asset that will maintain the identity of this key site close to the District Centre of Fallowfield. It will be demonstrated that the proposals will have no detrimental effect on visual amenity and character of the area.

Policy EN2

6.133 Policy EN2 relates to development of tall buildings and sets a series of expectations.

6.134 The Officer Report states:

"The proposal is for a tall building adjacent to smaller scale residential buildings and non-designated heritage asset, which it would tower above with very little separation distance, having an overbearing impact on existing residents and providing a significant urbanising effect on the edge of Platt Fields Park. It would form an over-dominant feature within the street scene and area, which would have a detrimental effect on visual amenity. It is therefore considered to be contrary to policies SP1, EN1, EN2, EN3 and DM1 of the Manchester Core Strategy, guidance contained in the Guide to Development in Manchester Supplementary Planning Document and Guidance and the NPPF.¹⁵"

6.135 In respect of scale and massing, the Officer Report fails to acknowledge let alone address the Places Matter - Design Review Report dated April 2021 which carefully considered the submitted Design and Access Statement and illustrative material submitted with the planning application. MCC places no apparent weight on the independent Design Review Report – that comprises an expert and informed assessment of the appeal proposals and their context. The findings of the Design Review Panel were succinctly stated:

"The Panel supports this scheme in terms of building heights, scale and mass. The changes which you have introduced have responded well to the Panel's previous comments."

6.136 The tallest accommodation block is deliberately positioned to the north of the site and its design has been refined, to complement the remainder of the development. There is precedent for taller structures such as this in the surrounding area and given its context and care taken with its design it is considered to be entirely appropriate and a positive addition to the area.

6.137 The Appellant will evidence how the design evolution has progressed to ensure there is no detrimental visual impact on existing residents, nor will it have a significant urbanising effect on the edge of Platt Fields Park. Platt Fields Park was designed as and remains an urban park with existing urbanising features within and at its edge. The proposals will introduce new urbanising features and the Appellant will demonstrate the acceptability of this in respect of the townscape and visual impact on both existing residents and users of Platt Fields Park.

¹⁵ Planning Committee Officer Report, page 47

6.138 Analysis of the townscape and visual context of the appeal site will be presented including evidence on:

- the existing townscape character of the local area including the scale and massing of surrounding built form;
- the existing visual amenity of the local area including key characteristics and key local views; and,
- the current value and contribution of the appeal Site to the character and appearance of the local area.

6.139 The Appellant will demonstrate in evidence that a design-led and contextual approach was adopted from the outset and that the design accords with the emphasis of the NPPF and National Design Guide on creating well-designed places. It will be shown that the approach to scale and massing of the proposals has been well-considered and is a sensitive and appropriate response to surrounding residential properties, the local street scene and surrounding area. From street level there will only be limited glimpse of the proposal from various angles due to the density of surrounding buildings and trees.

6.140 The Appellant will use the submitted Townscape and Visual Impact Assessment and supporting verified views of the proposal to demonstrate that the scale and appearance of the proposals in the townscape and views from the surrounding area has been robustly tested and assessed. Evidence will demonstrate that the scale and massing of the proposals would not give rise to unacceptable visual impacts or have a harmful effect on the character of the area or the residential amenity of surrounding residential properties.

6.141 The Appellant will also set out how the proposals will have beneficial effects on the visual amenity and character of both the Appeal Site and the local surrounding area for reasons including the:

- (a) improvement of the architectural quality of the area and creation of an improved frontage to surrounding streets and open spaces;
- (b) introduction of a visually attractive development through the appropriate use of materials, and well-considered layout, detailing and landscaping;
- (c) improvement of the visual quality of the site and maintenance or enhancement of the quality of public views from surrounding roads and public open spaces; and,
- (d) optimisation of the potential of the site to accommodate development.

6.142 The Appellant will demonstrate that all aspects of Policy EN2 are satisfied.

Policy EN3

6.143 Policy EN3 relates to heritage and states, *“Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.”*

6.144 The Officer Report agrees¹⁶ with the assessment of Oakley Villa as a non-designated heritage asset as presented within the submitted Heritage Statement prepared by Stephen Levrant Heritage Architecture and states that:

"Its retention, refurbishment and re-purposed use is a benefit of the proposals".

However, the Officer Report adds:

- *"It is considered that the building would have a detrimental impact on the setting of the retained Oakley House.";*
- *"It is considered that the proposed 13 storey building would have a poor relationship with the retained Oakley House, a non-designated heritage asset.";*
and
- *"the proposed construction of a 13 storey building in close proximity is considered to give rise to harm to its setting and its appreciation within the area".*

6.145 The Appellant will present evidence to address the position taken in the Officer Report and RfR and demonstrate that the City Council's assessment fails to address the existing structures on site as a 'baseline' or the comparative impact on issues concerning Oakley Villa.

6.146 The evidence will provide a detailed analysis of Oakley Villa that demonstrates the benefits of removing the inappropriate and poorly designed extensions that have taken place on the site and will show that the proposed development will not have an overbearing visual impact. Furthermore, the evidence will demonstrate that the wider park setting does not contribute to the significance of the villa; it is the immediate 'domestic' setting of the villa that contributes to its significance. As existing, Platt Fields Park provides an extended setting to the Site in which short-range views of the 1970s extension and the brick boundary wall can be experienced – this view will not be negatively impacted by the proposed development.

6.147 The submitted Heritage Statement concludes on this matter that:

"Visual conjunction between the villa and tower element of the scheme will not compromise the heritage interest of the non-designated heritage asset as views of the building will not be affected (i.e. the heritage interest of the villa is not best understood or appreciated within the wider Platt Fields setting). The proposed development will have a negligible beneficial indirect impact on the non-designated heritage asset. As a non-designated heritage asset, the villa is of low heritage value, overall"

6.148 As detailed in the Heritage Statement, by Stephen Levrant Heritage Architecture, the key heritage interest of this local heritage asset is its historic interest and the artistic interest of the interiors. The external architectural expression of building is not of quality, and its setting only contributes to the significance of the heritage asset to a minor extent. Although the proposals will result in more of the site being developed, the development

¹⁶ Planning Committee Officer Report, page 2

is focused on the former garden area which has been redeveloped previously. The most important part of the building's setting is the former domestic garden setting, to the east, and the proposed development will enhance this.

- 6.149 As previously stated, there are no outstanding objections from statutory consultees and the MCC did not raise this concern throughout the determination of the application.
- 6.150 It will be demonstrated that rather than causing harm to the heritage asset the proposed development will enhance its setting, provide it with a viable new use and safeguard the internal features of particular value. Therefore, it will be shown that Policy EN2 is fully satisfied.

Policy DM1

- 6.151 It is assumed the reference to Policy DM1 in this RfR concerns the first two bullet points of this policy, relating to appropriate siting, layout, scale, form, massing, materials and detail, and impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. As explained above, it will be demonstrated that the proposed development is appropriate and acceptable in all such respects. It will therefore be shown that those provisions of Policy DM1 are complied with.

4. Due to the height of the proposal there is the potential for the development to overshadow adjacent trees that form an important habitat and have a high visual amenity within Platt Fields Park. In the absence of evidence that the development would not adversely impact on adjacent trees, it is considered that the proposed building, by reason of its scale and height, could have a detrimental impact on existing adjacent trees contrary to policy EN9, EN15 and DM1 of the Manchester Core Strategy.

- 6.152 Matters relating to the overshadowing and adverse impact of the proposed development on adjacent trees were not raised with the Appellant by MCC during the determination of the application.
- 6.153 There is no sound basis for this RfR; as the Officer Report has stated at page 21 while there would be more overshadowing of the trees than existing, this:

"... would not cause the trees to fail."

Therefore, there will be no detrimental impact on existing adjacent trees. MCC's own arborist concludes this matter by confirming that there are no objections to the proposed development in respect of trees.

- 6.154 The Appellant will submit further evidence to demonstrate that there will be no detrimental or adverse impact on existing adjacent trees. Evidence will be presented to quantify the effects of the proposed taller building on sunlight and ambient daylight levels to the adjacent trees. The Appellant's Arborist will provide written opinion on the likely impacts of shading from the larger accommodation block and will demonstrate, with inputs from Consil daylight and sunlight consultants, that the proposals are compliant with CS Policies EN9: Green Infrastructure, EN15: Biodiversity and Geological Conservation, and DM1: Development Management.

5. The proposed development would introduce up to 425 students into an area already experiencing high levels of student accommodation and occupation. It is considered that this provision would give rise to unacceptable impacts on the residential amenity of nearby residential occupiers by reason of noise, disturbance and general activity associated with the comings and goings and occupation of the proposed development contrary to policy H12 and DM1 of the Core Strategy.

- 6.155 There is clear overlap with RfR1, addressed above, which contends the proposals give rise to unacceptable impacts by reason of the density of development and level of proposed occupation. This RfR is somewhat more precise in referencing how the 'unacceptable impacts' will be felt – by reference to *"noise, disturbance and general activity associated with the coming and goings and occupation"*. In respect of Policy H12 it is assumed this is concerned with criterion 6, which is addressed under RfR1 above. In respect of Policy DM1, it assumed this relates to bullet point 3 of the policy: *"effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation."*
- 6.156 The application submission documents address these matters in full and demonstrate compliance with Policy DM1. The Design and Access Statement, Daylight and Sunlight Report, Noise Impact Assessment, Air Quality Assessment, Waste Management Strategy, Transport Statement and Planning Statement demonstrate that there will be no adverse impacts as a result of the proposals.
- 6.157 As stated earlier, there are no statutory consultee objections. Responses from the Environmental Health Officer, Highways Officer or the Greater Manchester Police raised no concerns in respect of noise, disturbance and general activity associated with the proposals or the end users.
- 6.158 The Appellant will evidence that expertly managed student accommodation will ensure any impacts on residential amenity are minimised. The Appellant will demonstrate that the central location of the accommodation and the 24 hour security will also have positive impacts on the prevalence of noise and disturbance to adjacent areas.
- 6.159 WJG have also made a commitment to achieving the Secure by Design Gold Award certification after construction and extending site CCTV monitoring beyond the entrance and exit points. These measures should be weighed in favour of the proposals as they will contribute to an enhancement in security relative to the existing position.
- 6.160 The Appellant will also demonstrate in evidence that the comings and goings of students during the daytime will have less of an impact on nearby residents than the existing use. As referenced above, there will be a significant reduction in the number of vehicles accessing the site and surroundings compared to the recent and historic use of the site by USDAW.

RfR 6. The windows within the south facing elevation of the proposed development would result in overlooking over a short distance to the living room windows of existing residential properties on Langley Road to the detriment of the reasonable amenity and privacy of the occupiers. As such the proposal is contrary to policies SP1, DM1 and H12 of the Core Strategy.

- 6.161 Matters relating to overlooking of existing properties on Langley Road, including amenity and privacy impacts, were not raised by MCC at any time prior to or during the determination of the application.
- 6.162 The Appellant will submit evidence that demonstrates compliance with Policies H12 (criterion 6), SP1 and DM1 that relate to development design, amenity and privacy.
- 6.163 The Officer Report and RfR fails to address the existing juxtaposition and relationship of the existing employment building on site and the amenity of nearby residents; there is no examination of and reflection on the existing baseline and its impact. Nor has there been any apparent regard to the use of the properties on Langley Road and the use of individual rooms to ascertain what harm to privacy could realistically arise.
- 6.164 The Appellant will submit evidence in each respect.
- 6.165 The evidence will also draw on comparable examples elsewhere in Manchester and provide a detailed assessment of the interface distances between the proposed building fronting Langley Road and the adjacent properties.
- 6.166 The Daylight and Sunlight Report and Design and Access Statement submitted with the application confirm that the windows proposals on the south facing facade of the proposed Langley Road building have been sized / designed to allow for acceptable levels of natural light, to omit overheating and to allow for the recommended free air area requirements within the current building regulations. It is worth noting that there is one window per bedroom on this elevation; a design feature that would likely be exceeded if the proposal was for open market residential properties.

Other matters

- 6.167 The following section addresses points raised in stakeholder and Councillor comments that are additional to those raised in the sections above.

Parking

- 6.168 The summary of consultation responses within the Officer Report demonstrates a concern that the proposals will lead to an increase in on street parking.
- 6.169 The appellant has addressed this concern within the Transport Statement and Planning Statement by confirming that there will be a net reduction in the number of vehicle trips to the site.
- 6.170 USDAW staff (c.180 staff members) currently park on surrounding streets. Fresh, WJG's property management company, will enforce a no-car policy via contractual arrangements. The Appellant will demonstrate in evidence that this approach is effective and accepted in other locations across the country and that Fresh are a reputable management company that successfully implement this contractual clause at their other locations.
- 6.171 The Appellant will also evidence that the City Council do not query the no-parking policy on other PBSA schemes across the City and it is not considered an issue in other locations.

- 6.172 As referenced earlier there are no outstanding highways objections to the proposals, including the parking strategy.

Impacts on Platt Field Park and Shakespeare Garden

- 6.173 The summary of consultation responses within the Officer Report outlines concerns in respect of the impact of the proposed development, particularly the tallest block and the proximity of built development to the north west corner of the site, on Platt Fields Park and the Shakespearean Garden.
- 6.174 The submitted Townscape and Visual Impact Assessment provides an assessment of the proposals influence over Platt Fields Park, including the Shakespearean Garden and concludes that scale and location of the proposed development is suitable.
- 6.175 The Appellant will provide evidence in respect of townscape and heritage to demonstrate that there will be no negative impact on the amenity of park users or the character and setting of Platt Fields Park as a result of the proposed development.

Overshadowing and Visual Amenity

- 6.176 The summary of consultation responses within the Officer Report outlines concerns of overshadowing to Oakley Villa, Platt Fields Park, the Shakespearean Gardens and adjacent housing. The larger accommodation block is also referenced as causing visual amenity impacts on users of Platt Fields Park and spoiling the natural tree lines which surround the park.
- 6.177 The submitted Daylight and Sunlight Report concludes that the development would not have an unacceptable impact on levels of daylight and sunlight in adjoining properties.
- 6.178 The Design and Access Statement, Townscape and Visual Impact Assessment and Planning Statement demonstrate that the scheme design and layout reflects the character of the area and responds effectively to adjacent land uses. The Appellant will evidence that the experience of Platt Fields Park will not be negatively altered by the development of the proposals.
- 6.179 Platt Fields Park already has significant urbanising features and it is expected that a suburban park has a suburban setting. A suburban setting includes the development of buildings of scale.

Safety and Security

- 6.180 The summary of consultation responses within the Officer Report references increased crime as a result of gangs targeting areas with a high student population.
- 6.181 As noted above, the Appellant's evidence will address how the safety and security of students residing in the proposed development will be secured. The Appellant will also demonstrate that any increase in students residing in the area as a consequence of the development will be low compared to the scale of student population already present. It will not materially increase the potential targets for crime. In any event, it does not reasonably follow that the needs of particular parts of the community should not be catered for on the basis that they themselves may be a victim of crime.

- 6.182 Greater Manchester Police have raised no safety concerns with the proposals and have provided suggested minor mitigation measures that Appellant will provide¹⁷. The Officer Report confirms that the proposal could achieve adequate security measures with appropriate conditions.

Impacts on Local Amenities and Facilities

- 6.183 The summary of consultation responses within the Officer Report references local infrastructure being at capacity and being unable to accommodate additional residents. Public services such as public transport and primary care facilities are listed as being impacted.
- 6.184 The Appellant has yet to have sight of any evidence substantiating this position, and reserves the right to respond should this evidence be forthcoming. Despite requests being made of MCC to clarify if any enhancements of local services would be necessary as part of the development, not such clarification has been provided to the Appellant. It is considered that the scale of any increase in students residing in the area as a consequence of the development is unlikely to materially adversely affect the capacity of existing services and facilities.

¹⁷ See Appeal Document 3.01: Crime Impact Statement, prepared by Greater Manchester Police

7. Conclusion

- 7.1 This Statement of Case has been prepared by Turley on behalf of the Appellant to support an appeal against MCC's refusal of full planning permission for PBSA at the site of the USDAW head office on Wilmslow Road, Fallowfield.
- 7.2 The existing office use is no longer suitable in this location and in what are very outdated and unsuitable premises. The site will soon become vacant and an alternative purpose must be found. The proposals support the long term regeneration of this area of Fallowfield by bringing back into beneficial use a prominent and largely unattractive brownfield site.
- 7.3 The proposed development seeks to retain and convert the non-designated heritage asset, Oakley Villa, as communal and social space with the demolition of the existing office extension buildings and erection of two accommodation buildings comprising 425 bedrooms with associated landscaping and outdoor space.
- 7.4 The appeal site is suitable for PBSA as it is in a highly sustainable location, close to amenities and public transport links and adjacent to the UoM Fallowfield Campus – the redevelopment of which demonstrates the popularity of the area with students is unlikely to change.
- 7.5 The proposals benefit from written UoM support. The letter of support acknowledges the scheme-specific benefits including amount and quality of amenity space, proximity to the welfare hub at the Fallowfield Campus, the competitive pricing of the bedrooms and the site's sustainable location.
- 7.6 The proposed development will contribute to the City Council's objective of regenerating the area and rebalancing the population by offering a solution and seeking to diversify the student housing offer. The diversification of the housing offer will help to facilitate a move by students into expertly managed PBSA from poorly maintained and unmanaged HMO's.
- 7.7 The Appellant has demonstrated through the application documentation that the scheme is development plan-policy compliant and it supports the Policy H12 Review objective of meeting the need for quality PBSA at a mix of prices. The proposals comprise a competitively priced PBSA scheme that will diversify the student accommodation offering and ensure a mix of accommodation is available to attract and retain the best student talent to Manchester.
- 7.8 The Statement of Case confirms the position reached within the Planning Statement that there are no technical constraints to development. Extensive technical assessment has shown that the proposed development would satisfy the requirements of policies relating to heritage, trees, highways, flood risk, amenity, air pollution and biodiversity. Any harms will be minimised and mitigated.
- 7.9 The Appellant has demonstrated and will further evidence that the planning balance falls strongly in favour of the grant of planning permission.

Appendix 1: Draft Core Documents List

Draft Core Document Reference	Document Title
CD 1: Application submission documents – 23 December 2020	
1.0	Cover Letter
1.1	Application Forms and Certificates
1.2	Design and Access Statement prepared by Tim Groom Architects
	Existing Building Outline with Tree Survey (ref: 1093-TGA-XX-ZZ-DR-A-02001 Rev B)
	Site Red Line (ref: 1093-TGA-XX-ZZ-DR-A-02002)
	Site Line Red (ref: 1093-TGA-XX-ZZ-DR-A-02003)
	GA Ground Floor (ref: 1093-TGA-XX-00-DR-A-03000 Rev D)
	GA First Floor (ref: 1093-TGA-XX-01-DR-A-03001 Rev C)
	GA Second Floor (ref: 1093-TGA-XX-02-DR-A-03002 Rev C)
	GA Third Floor (ref: 1093-TGA-XX-03-DR-A-03003 Rev C)
	GA Fourth Floor (ref: 1093-TGA-XX-04-DR-A-03004 Rev C)
	GA Fifth Floor (ref: 1093-TGA-XX-05-DR-A-03005 Rev C)
	GA Sixth Floor (ref: 1093-TGA-XX-06-DR-A-03006 Rev C)
	GA Seventh Floor (ref: 1093-TGA-XX-07-DR-A-03007 Rev C)
	GA Eighth Floor (ref: 1093-TGA-XX-08-DR-A-03008 Rev C)
	GA Ninth Floor (ref: 1093-TGA-XX-09-DR-A-03009)
	GA Tenth Floor (ref: 1093-TGA-XX-DR-A-03010)
	GA Eleventh Floor (ref: 1093-TGA-XX-DR-A-03011)
	GA Twelfth Floor (ref: 1093-TGA-XX-DR-A-03012)
	Proposed Elevation A (ref: 1093-TGA-XX-ZZ-DR-A-05001)
	Proposed Elevation B (ref: 1093-TGA-XX-ZZ-DR-A-05002)
	Proposed Elevation C (ref: 1093-TGA-XX-ZZ-DR-A-05003)
	Proposed Elevation D (ref: 1093-TGA-XX-ZZ-DR-A-05004)
	Proposed Elevation E (ref: 1093-TGA-XX-ZZ-DR-A-05005)
	Proposed Elevation G (ref: 1093-TGA-XX-ZZ-DR-A-05007)

	Proposed Elevation H (ref: 1093-TGA-XX-ZZ-DR-A-05008)
	Block A Detailed Elevation A (ref: 1093-TGA-XX-ZZ-DR-A-21100)
	Block A Detailed Elevation B (ref: 1093-TGA-XX-ZZ-DR-A-21101)
	Block A Detailed Elevation C (ref: 1093-TGA-XX-ZZ-DR-A-21102)
	Block A Detailed Elevation D (ref: 1093-TGA-XX-ZZ-DR-A-21103)
	Block B/C Detailed Elevation E (ref: 1093-TGA-XX-ZZ-DR-A-21104)
	Block B/C Typical Bay Study (ref: 1093-TGA-XX-ZZ-DR-A-21105)
	Existing Ground Floor Plan (ref: 1093-TGA-XX-00-DR-A-03100)
	Existing Mezzanine Plan (ref: 1093-TGA-XX-M-DR-A-03101)
	Existing First Floor Plan (ref: 1093-TGA-XX-01-DR-A-03102)
	Existing Basement Plan (ref: 1093-TGA-XX-B-DR-A-03103)
	Ground Floor Demolition Plan (ref: 1093-TGA-XX-00-DR-A-03200)
	Mezzanine Floor Demolition Plan (ref: 1093-TGA-XX-M-DR-A-03201)
	First Floor Demolition Plan (ref: 1093-TGA-XX-01-DR-A-03202)
	Existing Elevation A (ref: 1093-TGA-XX-ZZ-DR-A-05101)
	Existing Elevation B (ref: 1093-TGA-XX-ZZ-DR-A-05102)
	Existing Elevation H (ref: 1093-TGA-XX-ZZ-DR-A-05103)
1.3	Planning Statement prepared by Turley
1.4	Statement of Community Involvement prepared by Lexington Communications
1.5	Manchester Student Demand Study prepared by Knight Frank
1.6	Economic Impact Statement prepared by Turley
1.7	Commercial Market Assessment prepared by Edwards and Co
1.8	Heritage Statement prepared by Stephen Levrant Heritage Architecture
1.9	Landscape Design Development (rev 2) prepared by Layer Studio
1.10	Landscape GA (including topographical information) (ref: 204-LYR-XX-ZZ-DWG-L-1001 Rev 7)
1.11	Softworks (ref: 204-LYR-XX-ZZ-DWG-L-1002 Rev 5)
1.12	Tree Constraints (ref: 204-LYR-XX-ZZ-DWG-L-1003 Rev 1)
1.13	Site Wide Sections (ref: 204-LYR-XX-ZZ-DWG-L-2000 Rev 2)
1.14	Transport Statement prepared by Focus Transport Planning
1.15	Travel Plan prepared by Focus Transport Planning
1.16	Arboricultural Statement prepared by Cheshire Woodlands

1.17	Air Quality Assessment prepared by Redmore Environmental
1.18	Archaeological Desk Based Assessment prepared by RPS
1.19	Ground Investigation Report prepared by Tier Consult
1.20	Flood Risk Assessment prepared by Tier Cosult
1.21	Ecological Assessment prepared by Bowland Ecology
1.22	Noise Impact Assessment prepared by Philip Dunbavin Acoustics Ltd
1.23	Daylight and Sunlight Assessment prepared by Consil
1.24	Energy Statement prepared by Ensphere
1.25	Sustainability Statement prepared by Ensphere
1.26	Demolition and Construction Management Plan prepared by Watkin Jones Group
1.27	Student Management Plan prepared by Fresh
1.28	Broadband Connectivity Assessment prepared by Pager Power
1.29	Television and Radio Desk-Based Report prepared by Pager Power
1.30	Overheating Study prepared by Quality Engineering Design Limited
CD 2: Supplementary information submitted 28 May 2021	
2.01	Townscape and Visual Impact Assessment prepared by Turley
2.02	Written response from the Places Matter Design Review Panel
2.03	Design Briefing Note
2.04	BREEAM Excellent commitment letter and BREEAM Pre-assessment Report prepared by Ensphere
CD 3: Ad hoc submission material	
3.01	Crime Impact Statement prepared by GMP submitted 28 January 2021
3.02	Wind Microclimate Assessment Report prepared by GIA submitted 24 February 2021
3.03	Highway Note prepared by Focus Transport Planning submitted 4 March 2021
3.04	Waste Management Strategy submitted 29 March 2021
3.05	Refuse Information (drawing ref: 1093-TGA-XX-00-DR-A-03800) submitted 29 March 2021
3.06	Demolition and Construction Management Plan (Rev 2) submitted 29 March 2021
3.07	Water Pipe Risk Assessment submitted 10 May 2021

3.08	Demolition and Construction Management Plan (Rev 3) submitted 10 May 2021
3.09	Demolition and Construction Management Plan (Rev 4) submitted 3 June 2021
3.10	Letter from Turley regarding Policy H12 submitted 6 July 2021
3.11	Social Value Statement prepared by Seer Bridge submitted 26 July 2021
CD 4: Documents received from/published by Manchester City Council	
4.01	Application validation letter dated 7 January 2021
4.02	National Grid Consultation Response issued 19 January 2021
4.03	Summary of consultation responses issued 23 February 2021
4.04	Officer Report to Planning Committee published 26 August 2021
4.05	Late Update Report to Planning Committee published 2 September 2021
4.06	Decision Notice issued 3 September 2021
CD 5: Appeal Submission Documents	
5.01	Notification of intent to submit an appeal (28 October 2021)
5.02	Appeal submission cover letter (12 November 2021)
5.03	Appeal Forms
5.04	Appeal Notice cover letter Appeal Notice to the landowner
5.05	Watkin Jones Group and USDAW (appellant) Statement of Case
5.06	Appellants Initial Draft Statement of Common Ground
CD 6: Relevant Technical, Policy and Guidance Documents	
6.01	National Planning Policy Framework (2021)
6.02	The Manchester Core Strategy (2012)
6.03	Saved Policies of the Manchester Unitary Development Plan (1995)
6.04	Resolution of Manchester City Council Executive on PBSA (December 2020)
6.05	Greater Manchester Housing Strategy 2019 – 2024 (2019)
6.06	A Greater Manchester Vision for Housing (2019)
6.07	Corridor Manchester Strategic Spatial Framework (March 2018)
6.08	Greater Manchester Strategy (2017)
6.09	Guide to Development in Manchester Supplementary Planning Document (2007)

6.10	A Strategic Vision for Corridor Manchester (2015)
6.11	National Design Guide: Planning practice guidance for beautiful, enduring and successful places (2019)
6.12	Guidelines for Landscape and Visual Impact Assessment, 3rd edition, 2013 (Landscape Institute and Institute for Environmental Management and Assessment) (GLVIA3)
6.13	Landscape Character Assessment, 2016 (Landscape Institute: Technical Information Note 08/2015)
6.14	Townscape Character Assessment, 2017 (Revised April 2018) (Landscape Institute: Technical Information Note 05/2017)
6.15	Visual Representation of Development Proposals, 2019 (Landscape Institute Technical Information Note 06/19).

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