

19 November 2021

Delivered by email

Ms Helen Skinner
Inquiries & Major Casework Team
The Planning Inspectorate

Dear Ms Skinner

APP/B4215/W/21/3286831 - UNION OF SHOP DISTRIBUTIVE & ALLIED WORKERS, 188 WILMSLOW ROAD, MANCHESTER - 129020/FO/2020

Further to the recent correspondence with Manchester City Council in respect of the appeal procedure for the above planning appeal, where the City Council contend that a hearing procedure is appropriate, the Appellant remains very firmly of the view that an inquiry is both appropriate and necessary in this case. Having regard to the Government's 'Procedural Guide: Planning Appeals - England (2021)' and particularly the content of Annexe F and criteria of Annexe K, the Appellant would like to take this opportunity to add to and substantiate the points contained within the appeal form and Statement of Case in this respect.

Breadth of evidence and number of witnesses

The application was refused for six reasons and a number of issues are contained within each reason, relating to a number of development plan policies. There is consequently a great breadth of matters that will need to be addressed within the appeal. This may well be added to by third party representations, which we turn to further below.

As a consequence it will be necessary for the Appellant to present evidence in respect of the following matters, as a minimum:

- Planning
- Townscape and Visual Impact Assessment
- Heritage
- Need for Purpose Built Student Accommodation
- Design
- Arboriculture

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- Transport

At this stage the Appellant expects to call witnesses in respect of a number of these topics, certainly planning, townscape and visual impact, and heritage.

We can only anticipate the Council will also be presenting evidence on all of these matters in order to defend its reasons for refusal.

The number of matters needing to be addressed and the complexity of the issues (contrary to what the City Council contend to be the case) will make it very challenging to deal with this by means of round table discussion at a hearing. An inquiry is much more suited to this breadth and complexity of matters, including the importance of evidence being tested (at least in part) through formal cross examination.

Duration

Our estimate, based on the breadth and complexity of issues and the number of witnesses required, is that 6 sitting days would be needed for an inquiry. In the event that the Inquiry is to be held virtually, with shorter sitting hours each day, then eight days would be appropriate.

This in itself demonstrates the extent of discussion that will be required in order to properly test the evidence before the Inspector. A hearing would not adequately address these matters.

Public interest and involvement

The appeal proposals are of significant local interest. This is evidenced by the number of representations made to the application; the Officer Report refers to 246 local resident objections, 3 objections from local Councillors, one objection from an MP and 10 objections from local community groups. We would anticipate that a large number of those that made representations at the application stage will want to engage in the appeal process, including through providing verbal evidence. An inquiry is clearly the most appropriate appeal procedure to cater for this level of interest and involvement. A hearing has the potential to prejudice the ability of all interested parties to meaningfully engage.

In summary, an inquiry is justified for this appeal (having regard to the information in Annexe F and criteria in Annexe K) given the substantial scale of the proposals, the multiplicity and diverse matters of relevance and their complexity, and the degree of public interest and involvement.

Should agreement not be reached in respect of the most appropriate appeal procedure, we would welcome a meeting with the Inspectorate and Manchester City Council Officers to discuss this matter further before a final determination is made.

Yours sincerely



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Senior Planner

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