

Planning, Building Control and Licensing
Manchester City Council
FAO Robert Griffin, Case Officer

3rd February 2020

By email r.griffin@manchester.gov.uk

Dear Sirs

129020/FO/2020| Erection of 1 no. 13 storey building and 1 no. part 4 and part 5 storey building to form purpose built student accommodation | Oakley, 188 Wilmslow Rd, Fallowfield, Manchester M14 6LJ

We write on behalf of the Rusholme and Fallowfield Civic Society and its 120+ members to OBJECT to the above planning application.

We see that there is no public or economic benefit to outweigh the very considerable harm that this proposal would do Platt Fields Park and the Environment, to the setting of Oakley Vila as a designated heritage asset and perhaps even more particularly, to the diversity and sustainability an otherwise already threatened local community.

Indeed, Council Executive has recently recognised the history in such areas of Manchester, where we say the student population has overwhelmed local communities and has requested that Planning consider only those areas in the City Centre, the Oxford Road Corridor and certain other limited exceptions as being suitable to new purpose built student accommodation (Executive Meeting Minutes item 137 9th December 2020). We welcome that decision and whilst it goes without saying that these proposals are not in any of the 'designated' areas, we urge you to recommend refusal of consent for this application.

1. **The harm to the park and the environment** – the erection of such tall buildings in close proximity to trees on the boundary with the park (which are actually in the park – not on the site) will do irrevocable damage not only to the trees themselves but also to the visual amenity and enjoyment of the park by the general public.

There will be significant disruption to local schools and to users of the park, who come from a wide surrounding area and harm to local wildlife through the increase of noise and light pollution as well as public nuisance from an overflow of student activity into the area of the park immediately 'over the fence' and the nearby Shakespeare Gardens.

The development does not follow 'Green' principles of innovation in construction or conservation of energy and does not do enough to support Council's targets for reduction of carbon emission and its aspiration for a Zero-Carbon City.

The compromise of Green Infrastructure and Core Strategy Policy EN 9

Council Policy states that "new development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. Where the opportunity arises and in accordance with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure".



Platt Fields Park has been enjoyed by residents of this and surrounding wards for over 100 years. William Royle was prominent in mobilising support for the Corporation to purchase the estate in order to save the park and house for future generations. This led to the Lord Mayor of Manchester calling a town meeting, at which it was decided to purchase the estate for public parkland, leading to its purchase in 1908. It is a key element of the city's Green Infrastructure.

The body of the park currently enjoys an almost 360° tree-lined skyline with the spire of Holy Trinity Platt Church as a focal point and the notable exceptions of two groups on the *other side* of Wilmslow Road. Of these, the Owens Park Tower in Fallowfield Campus is threatened with demolition (as it is considered unsuitable for student accommodation) and the redevelopment of the "Toast Rack" abandoned by MMU at Hollings Campus has not yet broken ground, although scheduled for a start in 2018.

There is no location on the subject site where the development's 13-storey tower (or indeed any building of height in the proposed location) would not be extremely close to the boundary with the park and be on the same side of Wilmslow Road. The siting of such a tall building in such a location is contrary to policy (see below) and will cause significant visual intrusion and harm to the visual amenity of the public from this and surrounding wards. It will give rise to real harm to foraging wildlife and bats, to trees *in the park* and to the secluded nature of that part of the park it borders (including the intimate Shakespeare Gardens). The noise and light pollution from such a large number of occupants together with undoubted overspill of activity into the immediate area will be extremely disruptive.

The harm to trees

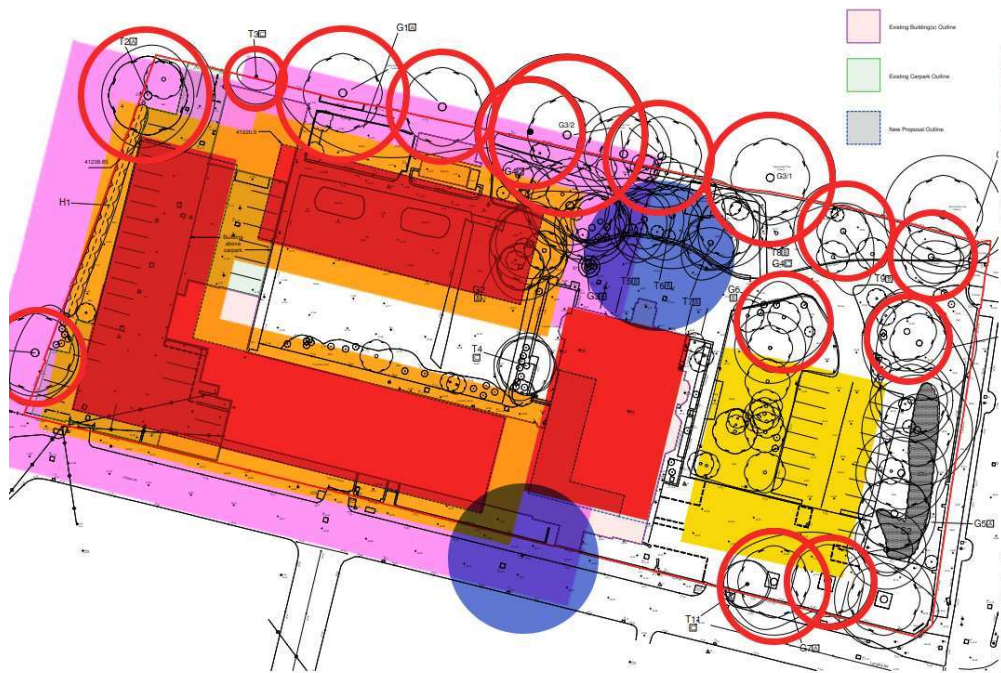
The applicant states that measures to safeguard the Root Protection Area (RPA) of trees in the adjacent Broadleaved Woodland HPI will be implemented during construction, in line with BS 5837:2012 (British Standard: BS5837) Trees in relation to design, demolition and construction - recommendations.

While neither the Ecological Appraisal nor the Arboricultural statement outlines what these measures may be, there is no Construction Logistics Plan from which an assessment of the long-term effect of root compression on the trees can be made, for example nor is any consideration given to the long-term quantity and quality given to both tree within the site and within the neighbouring park. This is of particular concern not only for the on-site trees to be retained but also for the very substantial and much valued Sycamores in the park along the northern boundary of the site.

Notwithstanding the lack of a Construction Logistics Plan and the long-term effect on trees, the applicant already acknowledges the loss of 6 mature trees out of a total of approximately (some are in groups) 16 mature trees. Such a significant loss will have a serious effect on the setting of Oakley Villa and public amenity in the park.

What is more and while BS 5837:2012 offers no standards for the amount of sunlight that trees need, it is noted elsewhere that *“a tree in full shade, one that receives two or fewer hours of sun, may struggle to survive as this small amount of sunlight will inhibit the photosynthesis process. Some trees tolerate shade well, however many do not and will grow stunted at best unless they have the correct amount of sun”*.

It is thus noted that since the 13-storey tower is in the order of twice the height of the mature sycamores in the park along the northern boundary of the site and the tower is so close, at least five of the seven or more than 50% of these trees (together with the surrounding grass in the park) will enjoy significantly less than even the two-out threshold and are at real risk from lack of sunlight.



Further trees/RPA at risk circled in red

As expected for a building of the proposed height of tower, the foundations are to be piled. For the diameter of piles shown, the weight of piling rig may be as much as 100 tonnes or more, which is a significant threat to root compression.

It is noted that the applicant proposes to ‘cantilever’ foundations above ground and under tree canopies in at least one instance. However, no allowance is shown for plant access in this instance, which would be in the tree canopy and damage it.

Similarly and given the close proximity of the villa to the new blocks and the new blocks to the boundary, the provision of a safe working zone and access to it for heavy plant would significantly compromise the canopy of trees in the park and loadings in the Tree Protection Area and require downloading from construction traffic on a one-way system through residential street and Langley Road – even allowing for tower crane access and drop-off and working ‘over-hand’ to site boundaries.

The very tight space for site establishment, would put further pressure on the RPA at the eastern end of the site and place more trees at risk.

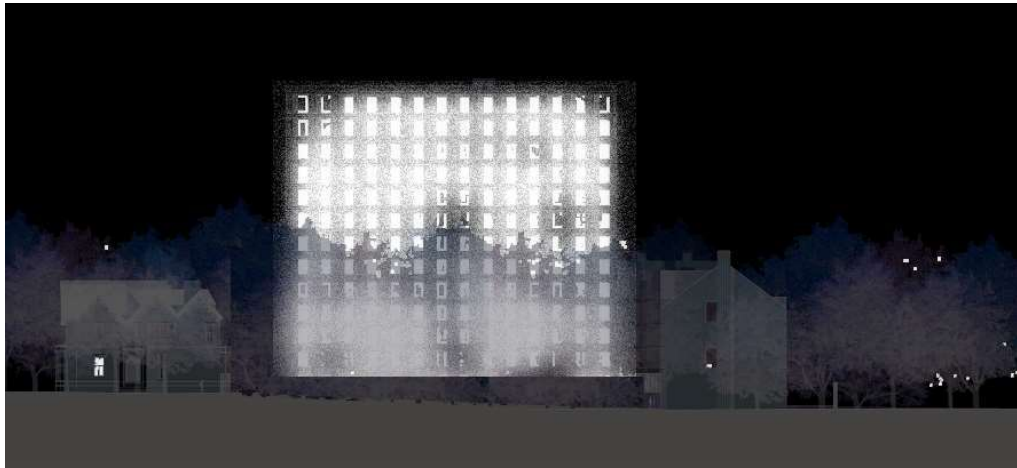
Light pollution, habitat loss and the harm to wildlife

The Ecological Appraisal notes at 4.10 that *“in addition to the buildings, seven mature trees were noted as having potential to support roosting bats due to the presence of PRFs (see Appendix E). Proposed*

landscaping plans indicate that three trees with bat roosting potential are to be felled to facilitate the proposed development (BT4, 5 & 7), and tree pruning works may be required on trees to be retained. Consequently, there is a risk of causing direct impacts to roosting bats and a loss of bat roost sites. There is also a risk of indirectly disrupting roosting bats which may be using trees, through noise, dust and/or artificial external lighting used during both the construction and / or operational phases of the development.

Three trees with bat roosting potential (BT4, 5 & 7) will require felling to facilitate the proposed development. Prior to pruning or felling works of any tree with bat roosting potential (BT1 – 7, see Appendix E), a further in-depth inspection, including an aerial inspection if necessary, will be required to determine their use by bats”

Thus, bat nesting sites will be felled and more are at risk (see above commentary on trees). The Ecological Appraisal also notes that much of the bat activity emanates from the trees on the northern site boundary that are in the park and are thus **the developer has no power or authority** to remedy or rectify the harm.



winter's afternoon view from the park

The light pollution from the development at night will have a significant detrimental effect on local residents and users of the park particularly in such an otherwise quiet and secluded part. The 13-storey tower will blaze with light across the landscape disrupting the peaceful enjoyment of the park as well as foraging grounds for local wildlife (including badgers as noted in the report).

The appraisal also notes that light pollution is an issue for bats and will have a significant effect on mating and nesting activity (even if bats are re-located in the required manner), which is likely to lead to reduced diversity and public amenity.

As can be seen from the image of the model below, extracted from the Daylight and Sunlight report written to assess the impact on the adjacent terraces and despite the reference therein to BRE Report: “Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice” Second Edition (2011), no account is made for the effect of trees and the acceptability of living standards within the proposed accommodation per **Core Strategy Policy DM 1**.

It can nevertheless be said that the standard of daylight to the accommodation in the North elevation of the tower will be compromised by the proximity of the valued and existing trees in the park (or at least for as long as they survive).

Given the cramped and reduced open area within the site with only pathways and few if any resting places and an overshadowed and small "Garden Courtyard", there is significant risk that the area of the park between the site and the Manchester High School for Girls will effectively become a 'back garden' or playground for the resident students, who will dominate the space to the detriment of other park users (indeed this area is cited as both an asset and opportunity in the accompanying Design Landscape Development). This will be an intolerable public nuisance to the users of the park and the adjacent Manchester High School for Girls as a well as a costly burden on ratepayers to police and to tidy up a no doubt festival of litter.

The proposed development versus the Environment and Climate Change

The proposed development does not support Manchester's Climate Emergency Declaration to target zero carbon as a city in a number of areas and does not address Core Strategy Environmental Policy

- Embodied carbon in the construction of buildings accounts for 11% of our Carbon Footprint¹.

Where the applicant claims that **National Planning Policy Framework (NPPF)** policies for sustainable development have been met in all respects (and hence there would be a presumption in favour of such proposals), it should be noted that the *"planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, **including the conversion of existing buildings [our bold]**; and support renewable and low carbon energy and associated infrastructure"*.

Where we demonstrate here that there are other potential uses for the existing villa and 1937 extensions, neither has account been taken of the cost to the climate of the embodied carbon within the existing extension if it were demolished and not re-used, nor of the heavier carbon emissions from building anew. It is effectively a double whammy to the environment.

- Where in **Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development)** developments must follow the Energy Hierarchy and reduce carbon emissions, the applicant is required or attempted to,
 - reduce demand by using *"high performance building fabric and energy efficient lighting, services and controls to reduce energy demand for space heating, cooling, ventilation and lighting"*, these are mutually exclusive especially where such sealed and highly insulated buildings require opening windows for cooling (if the carbon penalty of mechanical cooling is not met) and consideration of noise ingress and egress are taken into account. Indeed, the energy statement makes provision for mechanical cooling in the (likely) event that the building would otherwise overheat.
 - use energy more efficiently: the corresponding inputs to BRUKL calculations assessing compliance with Building Regulations Part L 2013 are an entirely untested theoretical model as the design is not sufficiently advanced to input 'real' data or make the appropriate assessment.

As they stand, the inputs are stringent for a building of this type, given the lightweight or rainscreen cladding, the siting, massing and orientation and are likely to be difficult if not costly to achieve. What is more, Part L is currently under review in light of the emerging climate crisis.
 - use renewable energy: the applicant has discounted all but air source heat pumps but notes these are not effectively renewable in the cooling cycle.

¹ World Green Building Council <https://www.worldgbc.org/embodied-carbon>

- Where the applicant seeks the benefits of those areas designated for Purpose Built Student Accommodation within **Policy EN5 (Strategic Areas for Low and Zero Carbon Decentralised Energy Infrastructure)**, it simultaneously claims that the policy provisions need not apply to the proposed development as it is not actually within such an area.
- Where **Policy EN6 (Target Framework for CO2 reductions from low or zero carbon energy suppliers)** *“requires major applications to reduce carbon emissions”* and the applicant references carbon reduction targets in the context of earlier versions of the Building Regulations and *“where the renewable energy target within the Guide to Development in Manchester (SPD) remains current”* and reference is made for developers to aim for at least 20% of final site energy demand and a section on environmental design stating that developments should be a BREEAM rating of “Very Good”, these are either already surpassed or under review and none are yet met by the proposals.

Indeed the limitations on the site imposed by the design would make the achievement of any enhancement extraordinarily difficult if not prohibitively expensive thus rendering any relevant conditions unmeetable.

- Where **Policy EN7 (Energy Infrastructure Opportunities)** includes a presumption in favour of low and zero carbon decentralised energy but where the applicant has in this case **discounted** the use of:
 - Combined Heat and Power
 - District Energy Networks (DEN)
 - Biomass Systems
 - Water Source and Ground Source Heat Pumps (the proposals have included air source heat pumps but notes that these do not work as a renewal energy source in the cooling cycle)
 - Micro Hydro power
 - Micro Wind Power
 - Solar systems (Photovoltaics)
- Where **Policy EN8 (Adaption to Climate Change)** – all new developments are expected to be adaptable to climate change in terms of design, layout, siting and function, the proposed site development similarly does **not** have the capacity to address
 - the reduction in urban heat island effect through the use of Green Infrastructure such as green roofs, green walls, increased tree cover and waterways.
 - the need to control overheating of buildings through passive design. Where the application claims to have incorporated elements of Passive Design “to maximise the use of natural sources of heating, cooling and ventilation to maintain thermal comfort levels within the building” by proposing a massing which “will reduce the surface area relative to the volume, which will help limit heat losses”, the proposed tall and slender massing is rather the antithesis of this argument with a high surface area to volume ratio and large façade and significant solar gain in summer and high losses in winter from the high proportion of glazing areas.

The required control on summer gains would ultimately seem to rely on very expensive solar control glazing and even then, to countenance “internal occupant-controlled shading elements” ie., curtains and blinds!
 - the opportunity to provide linked and diverse green space to enhance natural habitats which will assist species adaptation.

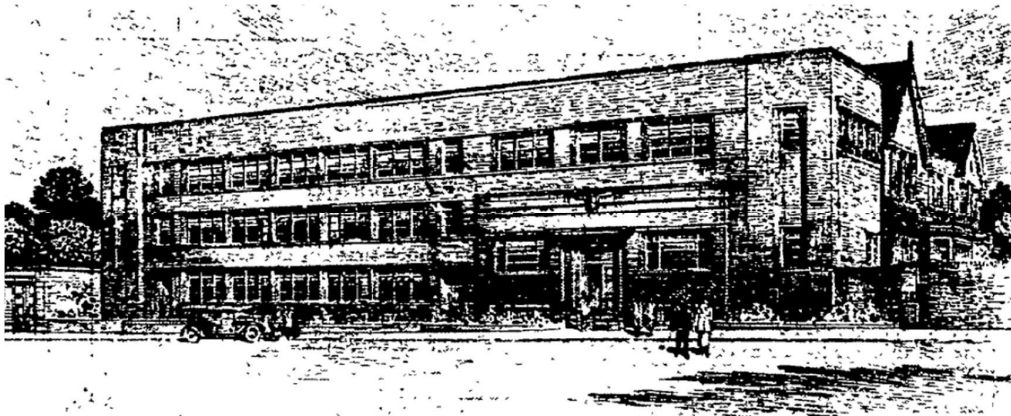
- Where within **Policy EN16 (Air Quality)** “developers are expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development and from the use of the development”, the applicant acknowledges (and even promotes the public transport links as a benefit) that the proposed development would *increase* traffic and bus trips into University sites as it is not located near to them as directed by Council Executive.

2. **The harm to the setting of the villa** - Oakley Villa is one of the diminishing number of fine villas for which the area is known. As with all such heritage assets, its setting is as important as the building itself. Given the recent history of the site, any redevelopment is an opportunity to maintain and enhance the character of the villa’s setting and such an opportunity should not be lost. Rather than enhance the setting, these proposals will do major harm by dominating the villa both at great height to the northern boundary and from behind on Langley Road.



In the words of the applicant’s own Heritage Statement, the “*original residential villa of ‘Oakley’ forms the last surviving of a number of large 19th century villas on the western side of Wilmslow Road as noted by the eminent architectural historian, Nikolaus Pevsner: “Oakley – a large early c19 Gothic house in its own grounds, one of the only survivors of a number of large, detached villas of this date in the area”.*

“In 1937 a large new extension was proposed to Oakley in order to accommodate offices and other facilities for the Union [USDAW]. The new extension was designed by the in-house Co-op architect, W. A. Johnson, and was designed in a simple Moderne style with subtle Art Deco decoration.”



It has been said that the villa may be a rare example in Manchester of the work of architect, William Atkinson, may thus be of national significance and further investigation may be warranted. Be that as it may, the Heritage Statement accompanying the application acknowledges that Oakley Villa, whilst it may or may not be considered of sufficient national interest for listing, should be considered as a non-designated heritage asset.

Setting aside the citation from Pevsner and whether the villa should in fact be considered for inclusion on at least Manchester's local list, the statement cites Historic England's Advice Note 7 on Local Heritage Listing (May 2016) and its emphasis, in Paragraph 24, that local lists are only really effective as a planning policy tool, *"if supported by objective criteria and both criteria and content have been tested through public consultation."*

But the statement goes on to note in the PPG that, *"in some cases, local planning authorities may also identify non-designated heritage assets as part of the decision-making process on planning applications"*.

The applicant's statement also concedes that *"it will be clear from the above appraisal of the building it should be considered as non-designated heritage asset"*.

Further, the Heritage Statement goes on to note (5.3 Statement of Significance) that *"Platt Fields provides an extended setting to the Site in which short-range views of the 1970s extension and the brick boundary wall can be experienced. However, 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 [our bold]"*.

It also conceded that much of the domestic setting of the villa has been kept especially as seen from Wilmslow Road and as such it is clear that the 1937 et al extensions did little harm to that setting (and indeed may have merit in their own right), being in every respect lower than the original and in keeping with its scale and restrained character.

However, the additional height now proposed along Langley Road (plus a steeply pitched and high roof) and the really quite monstrous 13-storey tower rising immediately behind the villa would create a backdrop that in terms of *"Table 3: Criteria for defining the effect and degree of direct and indirect heritage impact"* would *"fundamentally compromise the setting of a designated asset"* and would be a *"substantially harmful change to the... setting of the identified designated heritage assets"*. As such the proposals would have a **Major Adverse Impact**, which *"should normally be avoided"*. Where we show elsewhere that there is no mitigating public benefit to the proposals, such harm would necessarily support the reason for refusal of consent.

Table 3: Criteria for defining the effect and degree of direct and indirect heritage impact.		
Definition of magnitude and nature of heritage impact.	Direct heritage impacts (physical alteration or change to the site's character)	Indirect heritage impact (visual change to the experience or setting of the site and its context).
Major adverse Impact. <i>Substantial harm of this nature, which results in total loss of significance or fundamentally affects the significance of defined heritage assets, should normally be avoided.</i>	Development resulting in demolition of a significant historic fabric component which results in total loss of significance, or fundamental compromises the setting of a designated heritage asset.	Substantially harmful change to the fabric and character of a designated heritage asset, or the setting of the identified designated heritage assets. Where the development severely erodes the heritage interest of the identified heritage assets in the view, or the ability to appreciate those values and thus results in total loss of significance.

Extract from applicant's own Heritage Statement

The applicant has chosen not to present a view of the proposals of the principal aspect from Wilmslow Road but we do so here as a montage of two drawings included in the application. This clearly demonstrates the impact on the setting of Oakley Villa as a designated heritage asset. Note also the domination of the terraced housing on Langley Road.



montage elevational view from the east (Wilmslow Road)

3. **The very significant harm to the local community** – where City Council housing policy prioritises the creation and maintenance of stable and sustainable communities in predominantly family-base accommodation, the presence of a further so many more additional students in the area would threaten the local community on Langley Road and the streets behind with further and unsustainable imbalance from an increasingly transient population.

While the developer characterises the area as 'student anyway', the consequent blight on the area would serve only to encourage further degradation and a consequent **increase** in HMO in the surrounding streets rather than the decrease suggested, especially when there are more appropriate locations in the city centre.

The effect of the development on Fallowfield as a sustainable community

The Manchester Sustainable Community Strategy aspires to more balance communities in which local residents can take pride. **Core Strategy Policy H11** (limiting Houses in Multiple Occupation) also considers that “a sustainable community must provide opportunities for a mix of households. Within this mix, families are particularly important because they support a range of local facilities such as schools and tend to have a greater commitment to the neighbourhood as they live there longer than other types of households” (Para 9.48: Policy H11) and further that “the impacts of Policy H11 will be monitored to ensure that any risk of blight on properties in areas where there are high concentrations of HMOs is minimised (Para 9.48: Policy H11).

Following a study for Council by Tribal Consulting, Council concluded that a 10% threshold of Houses in Multiple Occupation would be more appropriate beyond which the proportion of shared houses (as student households) becomes damaging to a street or neighbourhood. Council also noted that the proportion of HMO in the immediate area of this application site is between 70% and 79% and between 80% and 89% as a percentage of total households.

Where the proportion of HMO is already so much higher than the threshold set by Council, any continuation or indeed increase, of that level would be truly devastating to what remains of the local community.

Council and local residents are all too well aware of issues of noise and nuisance created by a preponderance of students in any one area, in all forms of accommodation. These include late night parties, fast food litter, the demands on local services and facilities, the annual upheaval and vacated properties for significant periods in the year – none of which are conducive to the aims of policy and strategy for stable and sustainable communities and much of which is already prevalent in the area from both the existing HMO and the Purpose Built Student Accommodation (PBSA) on the Owens Park Campus across the Wilmslow Road.

The noise and nuisance from Owens Park is already an issue for local residents and this on a site bound by main roads and thus away from residential properties. Being at least a little away from family homes, it might possibly be argued (although residents hardly agree) that this nuisance from a so-called “self-contained” campus is less severe but this application would have great harm by putting significant additional numbers **directly into** an already weakened residential community.

Where the applicant suggests that the provision of Purpose-Built Student Accommodation for so many additional students will draw as many from the HMO next door, the applicant acknowledges that the demand for PBSA will not yet be met and that overall numbers of students will continue to rise and continue to outstrip supply, notwithstanding any temporary effects of COVID.

Further, at approaching double the cost of shared accommodation in HMO the price point offered by the applicant does not support the contention that the scheme will encourage any students, let alone second and third year students, out of HMO. Indeed, there is no tangible evidence to support the applicant’s claim that this accommodation will encourage first years out of HMO or reverse the established student preference for private accommodation shared with friends in later undergraduate years.

The unsuitability of the location to Purpose Built Student Accommodation (PBSA) with respect to decisions at the Executive and Core Strategy Policy H12

Per item 137: Meeting of Executive minutes 9th December 2020, the Council Executive has decided to endorse the approach set out in a report to Executive - 13 November 2019 - Consideration of Policy H12: Purpose Built Student Accommodation within the Changing Market Context *“to help guide the decision making process in advance of the review of the Local Plan and request the Planning and Highways Committee **take this approach into material consideration until the Local Plan has been reviewed**”* [our bold] and in doing so notes *“in balancing the views of HEI’s, developers, students and residents, along with current policies and standards, it is considered that the principles set out in the report to the November Executive remain appropriate as providing the context for the application of Policy H12.”*

The report states that *“location is a key factor in ensuring the quality, security, sustainability and wellbeing benefits of accommodation. As a result, purpose built student accommodation should be located in the areas **immediately adjacent to the core university areas, principally the Oxford Road Corridor area**”*. And further to a number of specific exceptions of which the subject site is not one, *“the **only exemption to this within the city would be within the Eastlands Strategic Regeneration Framework area**”* [our bold].

The location of the subject site is thus out with of those that are considered suitable for purpose built student accommodation and as this context for the application of Core Strategy Policy H12 stands, the application should be refused if only on this basis alone.

Application of Policy H12 and the criteria for Council support in the context of the endorsement of the report to Executive (set out at Appendix A of the report) decided 9th December 2020

With respect to the application of Policy H12 in the context of the report to the Executive, the applicant claims to have satisfied the requirements for Council support but fails to do so as follows:

1. Where the applicant claims to have satisfied the criteria on both counts of proximity to University campuses or high frequency bus routes, it fails to do so on the one hand in the light of the request to only consider sites for PBSA in specific areas (of which the subject site is not one) and on the other hand, to site new accommodation in close proximity to the University campuses where “the suggested revised approach to Purpose Built Student Accommodation will only consider development of new accommodation in close proximity to the University campuses, reducing the need to travel, and thus minimising carbon emissions” (item 7.0: Contributing to a Zero-Carbon City).
2. Where the applicant claims the requirement for “proposed schemes that fall within [the Oxford Road Corridor] will be expected to take place in the context of the energy proposals plans as required by Policy EN 5” does not apply as the subject site is not in the Oxford Road Corridor, it fails to recognise that only those areas within the Oxford Road Corridor (and other specific exceptions of which the subject site is not one) are to be considered as suitable.

Furthermore, in attempting to ‘side-step’ this requirement, this statement indicates an unwillingness on the part of the applicant to make a contribution to or meet Council’s emergency declaration of the challenge of climate change.

3. While acknowledging that this would be a high density development, the applicant fails to recognise that the surrounding area is overwhelmingly low density, two-storey terraced housing and is thus not “*compatible with existing developments and initiatives*” as required.

What is more **Core Strategy Policy H6** states that “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 bold], which of course, this is not.

Further, the included Transport Statement fails to calculate an anticipated travel demand on the basis that since no car spaces beyond staff, accessible and electric charging spaces will be provided, none will be needed. Whilst rooms might be contracted as such, we contend that this is both contradictory and extraordinarily naïve especially in the context of the target second and third year students and is contrary to **Core Strategy Policy T2** where “*all new development should provide appropriate car parking facilities, taking account of the guidance*”.

The effect of increased numbers of parking on the amenity for local residents and their visitors together with ongoing wrangling over policing and complaints will be significantly damaging.

4. Where the applicant claims to satisfy the requirement for positive regeneration impact it should be noted that whatever benefits are claimed:
 - a. “*supporting Manchester’s Higher Education offer*” Any possible benefits might be better provided in areas identified by Council as suitable for purpose built student accommodation and any benefits to the universities are not justified in terms of the harm to the community, the park and the villa.
 - b. “*providing housing choice and supporting ‘recovery’ of traditional housing stock*” is not guaranteed or adequately evidenced and we have contended above that the additional numbers will serve only to reinforce the area as a ‘student area’ to the detriment and even demise of the local community in Fallowfield Brow.

Further, the absence of private PBSA built in the area or ‘a strong demand from students to live in Fallowfield’ is no reason to concentrate yet more students in this area in the face of council executive direction to the contrary and to the detriment of the traditional housing stock and community.

Such a concentration of numbers would indeed exacerbate the issues that the applicant acknowledges and would indeed be an addition of numbers rather than a displacement from HMO, as the combination of an acknowledged and continued failure to meet demand and disparity of price point between PBSA and HMO suggests.

We have set out above where the scheme would have a significant detrimental harm and negative regeneration impact on the life and sustainability of the local community with respect to Policy H11. It does not offer a mix of uses. It would contribute further to the domination rather than the support of district or local centres, whilst increasing pressure on existing neighbourhood services to the detriment of existing residents and the availability of affordable housing stock.

Despite the applicant's claims to the contrary, these are rather key regenerative *failures* of the proposals.

- c. *"making efficient use of the land"* where the accompanying Commercial Assessment focuses exclusively on a use as office space and in poor comparison with predominantly Grade A office space elsewhere in the city and Salford, the assessment ignores both the potential for refurbishment and other potential efficient uses of the land.

It is acknowledged that there will be an effect from COVID. Although this is as yet unknown, there is a great deal of discussion in the marketplace around decentralised locations closer to the communities they serve, especially for smaller businesses. Although the property is 'aged', it is of a format in terms of plan depth and structure, which has the potential for such use and extension, which as noted will return the value of its embodied carbon.

Where **the assessment and application fails to make the case that new student accommodation is an efficient use of the land**, it does however list the many benefits of the location required for efficient office use and these might well be turned to other uses such as: work/residential, small business offices/ start-ups, affordable homes, homes for the elderly, university/ other institutional admin, smaller scale healthcare, clinics and dentists either as new build or refurbishment.

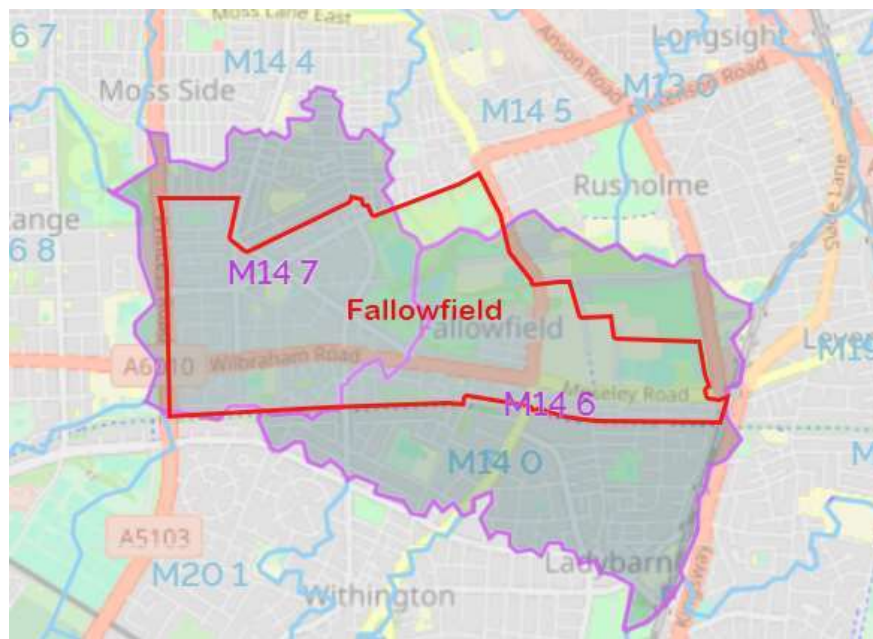
- d. *"conveying heritage benefit"* as noted, the setting of Oakley Villa is as important as the villa itself and there is substantial harm to its setting with a 13 storey building on the one hand and an increased-height block on the other as back drop.
- e. *"economic and social benefits"* the accompanying Economic Impact Statement outlines potential economic benefits in the Construction and Operational Phases which are neither unique to this site and might be better accommodated elsewhere in accordance with Council Executive direction nor are they proven in terms of Enhancing Housing Choice. There are other uses that have the potential to provide real economic and social benefit.

Whilst the Construction Phase impacts might and should better be accommodated in the city centre and does not therefore add to the sum total of GVA, jobs and investment, the applicant's own Planning Statement similarly acknowledges that the Operational Phase impacts are **"not considered net additional as, whilst the Proposed Development will increase PBSA capacity, it will not increase overall number of students accommodated in Manchester"**. Where the Economic Impact Statement set outs the impacts of an Enhancement in Housing Choice, these are not proven in this location especially given the relatively expensive accommodation proposed when in comparison in comparison with the local rental market.

Further, the application offers no balancing social benefit to the significant harm to the local community. The damaging effects of a preponderance of any use in any one area or any inappropriate area has been well established by council (particularly in this case with

respect to Policy H11 and the executive direction for PBSA in the City Centre and Oxford Road Corridor, which the subject site is not).

Council Core Strategy has established that the subject area either side of Wilmslow Road has in the order of 60% to 89% of households in student HMO. Recently published surveys² indicate that the relevant M14 6 and M14 7 post codes have a student population in the order of 32,980 or 64% of the total population of the area.



Postcode Area M14		Area km ²	Number of student residents 2018/19 per postcode area	Population (2011 census)	Percentage of population who are students
M14 6	East Fallowfield, North Withington	2.37	11,195	19,876	56%
M14 7	West Fallowfield	1.52	990	13,104	8%
Total for M14 6 and M14 7		3.89	12,185	32,980	64%

Thus, the student population is a whopping 56% in M14 6, where of course the USDAW property is located. This overwhelming over-concentration of a single group is contrary to the aims of **Core Strategy SP1** to put the emphasis “on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres” and where “all development should contribute to the City’s aim to create neighbourhoods where people choose to live and where a good mix of housing and local services and facilities provides for people of all ages and with differing needs.”

The impact is felt not just in Fallowfield but affects neighbouring wards. The truth of the matter is that no wards or district centres outside of the city centre or areas such as Oxford Road Corridor (as identified by Council Executive 9th December 2020) have the services or critical mass of population to absorb the overburden of such concentrations of students

² <https://wonkhe.com/blogs/the-start-of-term-is-not-just-a-problem-for-universities/>

(nor withstand the massive swings in population, annual exodus and empty streets for a good part of the year).

Even allowing for the 3000 or so students in PBSA on the Owens Park campus, the clear implication is that there are 17000 students in M14 6, who displace residents from an otherwise useful source of affordable housing stock.

No new application should be permitted to exacerbate such an already unsustainable position. Where the applicant laments the lack of new PBSA in Fallowfield in the last seven years (ignoring Chancellor's Court and others to come) and claims that the student demand for Fallowfield is an inevitability that must be met by an ever increasing offer of student accommodation, every effort has to be made to reverse the current trend rather than to encourage any further increase via this application.

5. Where *"proposals should be designed to be safe and secure for their users, and avoid causing an increase in crime in the surrounding area"*, only *"consideration"* of the principles of Secured by Design are promised and there is no commitment to any particular standard (Gold, Silver or Bronze) especially where the number of lap tops on site is most likely to be considered a 'honey pot' for theft.

Where the applicant notes that *"the Crime Impact Statement will be forwarded on to the City Council for review when it becomes available"*, it is already known from published data that the rate of violent crime, burglary and ASB in Fallowfield is high and that the highest rate of ASB for example coincides with student arrivals and the end of exams (ukcrimestats.com).

Further, there are no proposed measures to curb an increase in the long history of nuisance from litter in the streets from the use of local fast food outlets. Such a less-trafficked road as Langley Road is likely to become a magnet for such nuisance sitting outside of a more managed environment on site.

6. Where *"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"* and the applicant alludes to a review by the non-elected "Places Matter", no consideration in the design is given to the increased noise and disturbance in that review or the Planning Statement.

Where the potential for noisy parties and other large gatherings is substantial, the accompanying Noise Impact Assessment **does not address the impact of noise break out from the development and the effect on local residents.**

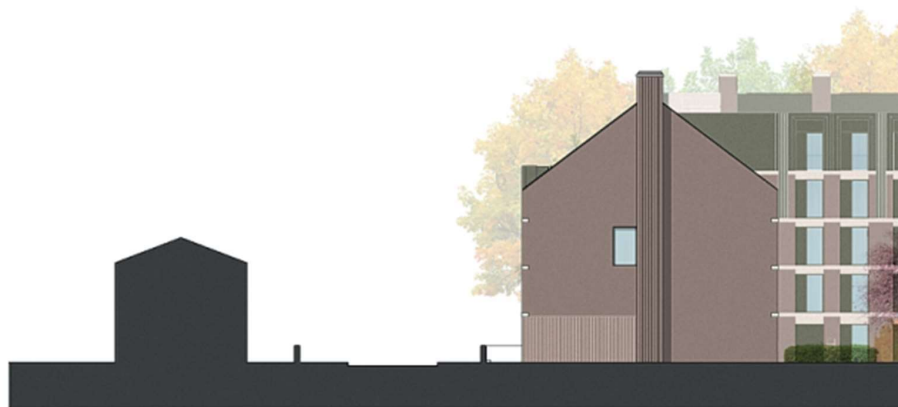
The assessment of noise break-in relies on desktop calculations and offers no method of on-site corroboration of the results or the high standard of construction required to meet the stipulated noise reduction performances.

Notwithstanding the results of the Noise Impact Statement, the noise assessment allows for only trickle ventilation through the façade whereas the TM59 Overheating Study requires that ventilation panels to the side of every window must have 40% free area ventilation to avoid overheating, noting that "it should be checked by others that the ventilation requirements of the Building Regulations are also met."

It is also noted that air permeability, which is designed to be low to improve thermal performance, conflicts with the requirement especially where free air ventilation is required to achieve Building Regulations standards. **The resolution of such contradictory aspects of the design will compromise the promised performance of each and/or is likely to be costly and will affect the project viability and delivery.**

With regard to physical size and dominance, the statement that *“the eaves line of the accommodation fronting Langley Road is lower than the current parapet level of the office accommodation so there will be no perceived height increase at street level”* is disingenuous to the extent that the proposed accommodation extends higher than the proposed eaves line and that the occupied levels in the façades of the existing buildings are significant lower than the existing eaves. The new windows on the resultant number of floors at modern ceiling heights would dominate the existing two storey terrace houses with consequent effect on the amenity and privacy of family homes.

It is also noted that a **full two storeys** are proposed above those of the existing terraced houses, that the distance between them is less than the recommended 24m where height is added and that **whereas the current offices are empty outside of the working day, the proposed student residential use will be occupied 24 hours of day and night** (and that ‘active’ occupation is likely to go on late into the night) giving rise to significant overlooking and consequent loss of privacy and amenity to the local residents.



The new block on Langley Road dwarfs the existing terraced houses

There is no assessment of the light pollution from the four storey block directly into the windows of family homes on Langley Road nor from the 13 storeys of student bedrooms overlooking them (and the park).



Overlay of proposed buildings on Langley Road showing increase in impact on residential terraces

Where the occupied levels of the existing buildings step down to two storeys to the West along Langley Road thus giving relief day and sunlight to almost half of the houses there, the proposed block remains at four storeys for the whole length as shown above.

The design thus fails to address policy, where otherwise *“all development should have regard to the... effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise”* **(Core Strategy Policy DM 1 Development Management)**

Further, the 13 storey tower contravenes **Council Tall Buildings Policy EN 2**, where it is acknowledged that such a tower would be substantially taller than their neighbourhoods (two storey terrace houses) and

- it does not *“ensure that [the proposed] tall buildings complement the City's key existing building assets and make a positive contribution to the evolution of a unique, attractive and distinctive Manchester, including to its skyline and approach views”,*
- it is not appropriately located as suitable locations are to be *“within and immediately adjacent to the City Centre”,*
- where it is noted in policy that locations *“elsewhere within Manchester tall building development will only be supported where, in addition to the requirements listed above, it can be shown to play a positive role in a coordinated place-making approach to a wider area”,* no such positive role has been shown to be the case with regards to the proposed height,
- the height does not *“relate more to the local, rather than the City Centre, urban context”* where the local context is overwhelmingly low rise,
- the impact on the local micro-climate has not been *“modelled and that submissions for tall buildings also include appropriate measures to create an attractive, pedestrian friendly local environment”,*

Where reference is made to Owens Park Tower as precedent, it should be noted that this is a singular high point in the context of the low rise Fallowfield campus on the other side of Wilmslow Road and is under threat of demolition as being unsuitable for modern student accommodation.

Similarly, no start has been made on the 2018-scheduled redevelopment of the “Toast Rack” abandoned by MMU on the former Hollings Campus and as such has not yet demonstrated that it is viable and deliverable per policy or that it will not have a “significantly negative impact on the regeneration of an area.”

The proposed tower is more than double the height of the trees in the park on the northern boundary of the site. As said above, the tower will dominate and overshadow the grass and trees depriving them of sunlight, breaking the rural skyline and looming over the park and the Shakespeare Gardens to the detriment of the amenity of park users coming in from this and surrounding wards.

7. Where appropriate proposals *“should contribute to the re-use of Listed Buildings and other buildings with a particular heritage value”,* the application fails to have regard for the setting of Oakley Villa, where the existing extensions rise no higher than the villa and which will be damaged by a 13-storey tower on the one hand and an increase in height to Langley Road on the other as a backdrop.

There are as we have said, a number of potential uses for the site should USDAW’s relocate and the continued and viable use of the villa does not rely exclusively on high-density student accommodation.



the restrained and well-mannered existing façades

The characterisation of the southern extension as unsightly is a subjective response to which we disagree. The façades facing Langley Road include fine brickwork in a modern, even art deco style and all of the façades are balanced and restrained. The existing additions have been a well-mannered and visually considerate neighbour to facing properties for several decades.

The applicant acknowledges that there is a risk of damage to the heritage asset by limiting student access to the villa.

8. Where *“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”* and the waste from the use of fast food outlets continues to be a perennial problem for local residents, the application makes no provision for.

Where EN19 requires that all developers are:

“to demonstrate the proposal’s consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling/composting, energy recovery, final disposal)”, the applicant has failed to comply with EN 19 or to provide or submit:

“a waste management plan to demonstrate how both construction and demolition waste will be minimised and recycled on site wherever possible and how the sustainable waste management needs of the end user will be met.” or to:

“Have full regard to the economic and environmental benefits that well designed and run, waste management facilities can bring to the District, subject to any conditions required to protect the amenity of existing adjacent users.”

“Promote the development of innovation and technological advancement within the sustainable waste management industry, aiming to achieve a closed-loop waste management system.”

“Require waste management practices to have full regard to the environmental, social and economic impacts of such development and encourage long-term benefits in improving the environment, the regeneration of areas in need of investment and co-location with other employment uses where appropriate.”

“Encourage communities to take responsibility for the waste they create through the provision of accessible facilities.”

The applicant appears to have paid scant attention to the policy, only providing a rapid hand written pro forma stating the size of the total waste storage area (without clearly marking them on plans as required or delineating any physical site provision for refuse collection or periodicity.)

9. Where *“developers will be required to demonstrate that there is a need for additional student accommodation or that they have entered into a formal agreement with a University, or another provider of higher education, for the supply of all or some of the bedspaces”*, the applicant has not demonstrated that that need is best met in the subject location for the many reasons herein but

principally for the reason that the best location is in the City Centre or the Oxford Road Corridor or in certain specific locations (which to repeat, this is not) as identified by commissioned report to the Executive and endorsed in their meeting 9th December 2020.

Further the “letter of support” from one of the universities falls short of any formal agreement with an HEI for the supply of all or some of the bedspaces.

10. Where “*applicants/developers must demonstrate to the Council that their proposals for purpose built student accommodation are deliverable*”, the applicant has not shown that the proposals are financially viable especially when the failings in design and the rectification thereof are to be taken into account.

Nor has any consideration been given to demonstrate how the buildings might be built safely and without further impact on the locality on a such a constrained site.

Accordingly and for the many reasons and contraventions of planning policy here, we urge you to refuse consent for this application.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'P. McGurk', with a horizontal line underneath.

Peter McGurk Architect RIBA

on behalf of Rusholme and Fallowfield Civic Society
c/o 4 Redclyffe Avenue, Manchester M14 5RG