

APPENDIX TO AGENDA (LATE REPRESENTATIONS)

Planning Committee	24 September 2026	Item No.	6
Application Number	145583/FO/2026	Ward	Piccadilly

Description and Address

Erection of a 17-storey residential apartment building (Use Class C3 (a), with associated access, amenity, landscaping, public realm, infrastructure and other associated works following demolition of existing vacant building on site.

Land At 85 Rochdale Road Manchester M4 4HY

1. Consultee Response - Victorian Society

Further comments have been received from the Victorian Society. They have reiterated that they remain seriously concerned with the construction of the tower in its current form, but they recognise the public benefit of the provision of housing.

They reiterate their earlier comments that a reduced scheme with a greater reflection of the historic architecture found within the existing streetscape would be a more sympathetic approach. They recommend that the scheme in its current form is damaging and a greater separation between the proposed tower and the Grade II listed pub would help conserve the setting of the Marble Arch Public House.

2. Third Party comments – Marble Arch Public House

The Marble Arch have made a supplementary representation. This is summarised as follows:

1. The 13-metre separation distance is not the minimum separation between the proposed development and the Marble Arch/its roof terrace;
2. The committee report records a relationship of approximately 2.5 metres to the roof terrace. Our evidence identified approximately 3 metres at the closest building relationship;
3. There is a professional difference of opinion concerning the degree of heritage harm. The report prepared on behalf of the Marble Arch identifies significant and potentially substantial harm. The applicant's heritage expert states this is less than substantial. Both the objector's heritage expert and those of the applicant were paid for their assessment. The Victorian Society (who were not paid to assess the application) identified less than substantial harm (harm) and remain seriously concerned about the current scheme;

4. The Victorian Society has specifically sought greater separation between the tower and the Marble Arch;
5. The applicant's own viability report identified both the 20% affordable and 100% market scenarios as unviable against its adopted benchmark, with the zero affordable housing appraisal producing a developer return of -£706,323/-1.57% on cost against a target of 15%;
6. This requires clarification alongside the committee report statement that the development is 'deliverable and viable in the current market';
7. No affordable housing is proposed and that this necessarily affects the nature of the public benefits advanced in support of the scheme;
8. That part of the proposed green/open space area relates to land which formed part of the approved Phase 1 open space provision;
9. The principal employment figures associated with the construction are temporary construction phase benefits rather than permanent operational employment; and
10. Detailed construction safeguards should not be confused with a prior assessment of the potential structural consequence of deep piling in exceptionally close proximity to the historic Marble Arch cellar and building.

The Marble Public House support the regeneration of Victoria North and accepts that redevelopment of the application can deliver public benefits.

However, they consider that this issue here is whether the development strikes an acceptable relationship with the Grade II Marble Arch and former Victoria Hotel and whether the acknowledged heritage harm is adequately justified by the public benefit relied upon.

In undertaking that assessment, they consider it is important that the physical relationship between the buildings, the professional heritage evidence, the viability position and the claimed public benefits are presented to Members with precision.

The proposal should not be understood simply as a 17-storey building separated from the Marble Arch by 13 metres, nor as a scheme which becomes viable through the removal of affordable housing. Neither proposition accurately captures the evidence now before the Council.

They respectfully request that Members are given the opportunity to review the above matters before the application is determined.

3. Director of Planning, Building Control and Licensing

Careful consideration has been given to the responses received in respect of this application from interested parties. The report considers this in detail including balancing the heritage harm with the benefits in line with the test set out in the NPPF.

Response to the above comments is provided below:

Separation distance – The report acknowledges that there is a 13-metre gap between the main tower and the side gable of the public house (the more significant and decorative parts of the public house). The report also makes clear this gap narrows to 2.5 metres between the main tower and the roof terrace of the pub. There is an accompany diagram to demonstrate those relationships. These distances are acceptable on balance. There is also an acknowledgment in the report that there will be relevant Party Wall matters which the applicant will need to address including any impacts on the structural integrity of the public house. The applicant has provided various commitments around this including that they will fund an independent surveyor to oversee the works on behalf of the public house.

Heritage significance and harm – The report sets out clearly that there is a differing opinion between the third part objector, the Victorian Society and the applicant in respect of heritage harm. The report concludes that there is a medium level of harm to the designated asset (the listed public house). The report sets out the relevant test within the NPPF which must be engaged by the decision maker when harm occurs.

Viability – The context within which developments are being brought forward in Manchester, and across the UK generally, are currently challenging due to rising costs (including those associated with building safety) amongst other factors.

The viability report has been independently assessed, and these challenging circumstances are reflected in that review.

Notwithstanding this, the applicant is committed to delivering the development, subject to planning permission, in its current form and continue development activity at the site on the back of Phase 1.

As the applicant is both developer and contractor there are various levers which can be employed to assist with the project funding and manage risk across the applicant's business. The applicant continues to monitor costs, due to their fluctuating nature at this time, and work with their contracting arm of the business and sub-contractors to secure the best value. They also intend to hold onto the asset after completion (due to this being Build to Rent scheme). All these factors help with improving the overall viability of the scheme.

Affordable housing and public benefits – The applicant, as well as the details provided in the report, does not advance that any affordable housing is proposed. This is not attributed any weight in the planning balance.

Phase 1 landscaping – It is acknowledged in the report that land which forms this development was part of the landscaped area for Phase 1. An amendment has been sought to this planning permission to reflect the current application and to capture a fall-back position in the event that the Phase 2 does not come forward.

The SRF identifies both the Phase 1 and Phase 2 sites as development sites and does not specify an amount of public realm or landscaping. The landscaping and public realm has been reconfigured around both sites to ensure there is a usable and meaningful space for both developments. The amount proposed for both developments is considered acceptable and should be considered a benefit to both schemes and given weight in the planning balance along with the substantial weight that should be given to the delivery of new homes (as directed by the NPPF).

Economic benefits – The creation of jobs during construction including the securing local job creation, should be given weight in the planning balance.

Structural impacts on the listed building – The objectors state that a detailed assessment of potential vibration, settlement and structural effects upon the listed building has not preceded the planning decision but is substantially deferred to the construction stage and request that Members should understand clearly what structural assessment has been undertaken at this stage and what matters remain to be determined after planning permission.

The applicant is an experienced developer/contractor and has undertaken the Phase 1 development also in close proximity to the listed building. The applicant acknowledges that construction and piling would take place close to the listed building. Appropriate surveys and structural reports would be prepared accordingly. These are matters covered by the Party Wall Act and separate from the planning process. The applicant has agreed to fund an independent surveyor to oversee these works on behalf of the objector. They have also agreed to make good should any damage arising from the construction activities.

Heritage Harm and public benefit - The objector acknowledges that there are benefits to the scheme inclining delivery of 153 new homes, development of brownfield land, jobs during construction, public realm and landscaping, biodiversity and sustainability and supporting the wider regeneration of Victoria North. However, they consider this should be viewed through the lens of no affordable homes, that the scheme is not viable, the job creation is temporary and that the eroding of the landscaping for Phase 1. The objector states that weight should be properly afforded to these issues when balanced against the harm to the designated asset.

National decision-making policy HE6 (4) of the NPPF requires it is necessary to ensure that the harm caused to designated assets is outweighed by the public benefits that a proposal would deliver. Members should also note that national decision-making policy HO7 states that substantial weight should be given to the benefits of providing homes. The provision of new homes, alongside the other benefits highlighted in the report, is considered sufficient to outweigh the medium level of harm caused to the designated asset.

Amenity impacts – The objector outlines the amenity impacts from wind and overlooking. This is considered in detail in the report.

The recommendation remains to **Resolve to Approve** subject to the signing of legal agreement to secure a review of the viability (including further review if the BTR asset is sold within 15 years) together with the retention of the project architect.