

Application Number	Date of Appln	Committee Date	Ward
100700/REP/2012/N2	24th Oct 2012	25th Jul 2013	Longsight Ward

Proposal Application for a new planning permission to replace planning approval 090644/FO/2009/N2 for the erection of part 3 and part 4 storey building to form 59 no. student bedrooms with associated amenity space, roof gardens, landscaping, car parking for 5 vehicles and vehicular access from Plymouth Grove.

Location Vacant Site At The Junction Of Plymouth Grove And Birch Lane, Ardwick

Applicant Mr Gareth Rowlinson , Land and Development Limited, Abbeywood, Abbey Lane, Delamere, Cheshire, CW8 2HW

Agent

Description

The application site lies at the south-west junction of the intersection of Stockport Road, Birch Lane and Plymouth Grove. To the north of the site is the currently vacant Ducie Arms Public House. To the north-east and on the opposite side of Stockport Road are the New Bank Health Centre and an adjacent petrol filling station. The area more immediate to the site is residential comprising of 2 - storey terraced housing to the west and along Plymouth Grove. To the east and south of the site are a number of buildings in use as apartments in the form of house conversions and purpose built accommodation, namely:

- i. 2, 4 and 4a Birch Lane (Surrey Lodge), 22 apartments involving the conversion of existing villas and coach house over 2 and 3 storeys;
- ii. 6 Birch Lane, 3 self-contained flats;
- iii. 10 -12 Birch Lane (Maxwell House) 10 apartments;
- iv. 1 – 3 Birch Lane (Surrey Lodge) – 39 purpose built apartments, two blocks, over 3 and 4 storeys

The proposal presents its principal frontages to Plymouth Grove (north) and Birch Lane (east). An alleyway servicing the existing residential uses at 2-4 Birch Lane is located to the west of the application site. Although buildings have been cleared from the site a concrete base has been retained and supplemented with mounded rubble to restrict access. Whilst the neighbouring site contains a number of mature trees there are no trees within the application site apart from overgrown self-seeded shrubs and bushes.

The site has been the subject of the following planning applications relating to its residential redevelopment:

- i. Application No: 077619/FO/2005/N2 - Erection of a four storey building to create 18 apartments with surface and basement level parking, landscaping and new vehicular access from Plymouth Grove
Decision: Refused 11th October 2006.

- ii. Application No: 086062/FO/2008/N2 - Erection of part 3, part 4 storey building to provide living accommodation for 45 students with associated car parking, landscaping and roof garden
Decision: Approved 5th August 2008.
- iii. Application No: 088962/FO/2009/N2 - Erection of part three, part four storey building to incorporate sixty student bedrooms, including outdoor amenity space and roof garden and associated landscaping, car parking and vehicular access
Decision: Withdrawn 11th November 2009.

The applicant satisfactorily addressed the concerns of the local planning authority (LPA) through the following application, which was approved on 18 November 2009 (and pre-dated the adoption of the Core Strategy):

090644/FO/2009/N2 - Erection of part three, part four storey building to form 59 student bedrooms with outdoor amenity space, roof gardens associated landscaping, car parking for 5 vehicles and vehicular access from Plymouth Grove.

This application comprised of:

- i. Purpose built student accommodation over 3-storeys rising to 4-storeys as it intersects at the junction of Plymouth Grove and Birch Lane. The 4-storey element turns the corner onto Birch Lane. The first (adjacent to the junction) maintains a height of 4-storey with the second element being set back by 6 metres (in relation to its immediate face), in order to be more reflective of the staggered building line to the adjacent 2-4 Birch Lane.
- ii. As the building turns to face Plymouth Grove, it comprises of 3 distinct sections, 2 of which follow a formalised building line with a recessed central link. The graduation in roof heights changes as the building moves towards the more traditional 2-storey housing to the west of the site, i.e., from 13 metres to 10.5 metres across a 40.8 metre wide frontage. The 4-storey (first) element (at the intersection of Plymouth Grove and Birch Lane) incorporates roof space accommodation through the inclusion of dormer windows. The second element is slightly lower than the first (through a 0.5 metre reduction in height). The retained height allows the retention of a 'concealed' parapet behind a monopitched roof.
- iii. The ground floor elements of the western section of the building area recessed to incorporate access ramps and steps to the main entrance and cycle parking. A secondary access to the western elevation would be provided from the western elevation and would provide a level and partially (internally) ramped access and egress from the car parking area.
- iv. Central to the design concept is the formation of a roof garden, which is framed by the parapets of the roofscape and would contribute to the

communal amenity space for the entire development. Solar panels are also incorporated into the western end of the roof area.

- v. A blank elevation would be formed adjacent to 2-4 Birch Lane. 'Juliet' balconies are formed to commons at:
 - a. Eastern Elevation facing Birch Grove : Ground, first and second floor (with a roof terrace at third floor level);
 - b. Southern elevation facing the internal amenity area: first and second floors.
 - c. The internal elevations face over the landscaped amenity area and car and cycle parking areas.
- vi. Internally, the ground floor would incorporate entrances communal and servicing areas including a laundry. The following accommodation would be provided within a total of 9 units:
 - a. Ground Floor: 9 en-suite rooms; 1 accessible room with enlarged en-suite; 2 common room/kitchen (Units 1 and 2);
 - b. (Respective) 1st and 2nd Floors: 21 en-suite rooms; 1 accessible room with enlarged en-suite; 3 common rooms / kitchens;
 - c. Third Floor: 5 en-suite rooms 1 common room/kitchen;
 - d. Total: 42 en-suite rooms; 3 accessible rooms; 9 common rooms / kitchens.
- vii. Each of the units is accessed by a central corridor. A lift and central stairwell would link each floor and provide access to the roof garden. Vehicular access and egress would be gained along the western boundary of the site. The car parking area incorporates a block of 4 spaces and a separate accessible space with adjacent waste and cycle storage areas.
- viii. The entire site is enclosed with new boundary walls ranging from 0.6 metres (on the street frontages) rising to up to 2.1 metres to the western and southern boundaries. Two hooded lighting columns are proposed within the car parking area.

The applicant seek to replace the planning permission granted under application 090644/FO/2009/N2 and extend the period of its implementation by a further 3 years.

Consultations

Local Residents – No comments received.

Councillor Suzanne Richards – Has expressed concerns regarding the proposed development and considers that 5 parking spaces for 59 bedrooms would be far too low even for student accommodation.

Central Manchester Regeneration Team - Although development would be welcomed on this derelict site which is located close to a major junction of highways, the proposed use, density and lack of car parking spaces mean that we object to this

application. The proposal to develop 59 apartments on this site with only 5 car parking spaces would cause car parking problems in the surrounding streets and would be an overdevelopment of this site. Student accommodation in this location would not be welcomed as there are no clear links to the Oxford Road Corridor or any of the Universities.

Strategic Area and City-wide Support Manager – No adverse comments

Contaminated Land Section – Due to historical information indicating the possible presence of contaminated land, a planning condition is recommended which requires the submission and approval of a preliminary risk assessment and remediation strategy.

Issues

Local Development Framework - The principal document within the framework is the Manchester Core Strategy, which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027. 'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents unless there are material considerations which indicate otherwise.

The following policies within the proposed Core Strategy are considered relevant:

Policy H12 - Sets out a series of tests to be met by developments involving purpose built student accommodation. 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. It is advocated that:

1. Sites should be in close proximity to the University campuses or to a high frequency public transport route which passes this area.
2. The Regional Centre, including the Oxford Road Corridor, is a strategic area for low and zero carbon decentralised energy infrastructure. Proposed schemes that fall within this area will be expected to take place in the context of the energy proposals plans as required by Policy EN 5.
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.

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 master plans 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.

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. 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 street scene either from the proposed development itself or when combined with existing accommodation.

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

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.

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 bed spaces.

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

Policy SP1 refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development,

the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

UDP Saved policies – The following policies are relevant in this instance.

Policy E3.3 - The Council will upgrade the appearance of the City's major radial and orbital roads and rail routes. This will include improvements to the appearance of adjacent premises; encouraging new development of the highest quality; and ensuring that landscape schemes are designed to minimise litter problems.

Policy DC26.1 The Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a. the effect of new development proposals which are likely to be generators of noise; and
- b. the implications of new development being exposed to existing noise sources, which are effectively outside planning control.

Policy DC26.5 The Council will control noise levels by requiring, where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate.

The Guide to Development in Manchester (SPG/SPD) (2007) - Contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

Central Manchester Strategic Regeneration Framework (SRF) - The document defines the strategic context for the regeneration of Central Manchester. It establishes key principles and objectives across the range of inter-related social, economic and physical issues affecting the area.

Manchester Student Strategy Final Report (January 2009) – The City Council commissioned 'Tribal' to develop a brief in consultation with the University of Manchester and Manchester Metropolitan University in order to gain a greater understanding of the impact of the city's student population, particularly in relation to the provision and pattern of future student accommodation and the identification of opportunities for effective neighbourhood management to mitigate the adverse impacts of student accommodation.

This document has later been supplemented by Manchester Student Strategy New Build Halls Update Note (June 2010) produced by 'Place First'. This report highlights that based on demand and supply analysis, the city faces a potential significant oversupply of purpose built student accommodation over the next 5 years. This in turn could have a negative impact including, empty properties, developments in

inappropriate locations and undermining developments that support the city's regeneration efforts in certain locations.

Following the information set out in this report a number of criteria were recommended when determining proposals for student accommodation. These criteria have since been used to inform the planning policy approach set out in Policy H12 of the Core Strategy.

The South Manchester Student Market – Current Conditions and Future Demand –

This document relates to a brief outlining the scope of future research work to establish the extent to which the student market in south Manchester and the regional centre is changing. It is indicated that part of the research will include a baseline assessment of student housing supply (including bespoke accommodation), sales, prices, rents, tenure, voids, availability, student exemptions and University demand.

National Planning Policy Framework ("the Framework") - The Framework came into effect on 27th March 2012 and sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 14 states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals that accord with the development plan should be approved without delay unless:

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted.

The Framework has been related to the proposed development, with particular emphasis given to the following:

Core planning principles - Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan making and decision-taking. The central theme to the NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role (paragraphs 6 & 7). Paragraphs 11, 12, 13 and 14 of the Framework outlines a 'presumption in favour of sustainable development'. This means approving development, without delay, where it accords with the development plan and where the development plan is absent or silent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework.

Principle – It is the case that the redevelopment of the site to allow the construction of a residential block would be potentially acceptable subject to its appropriate design, height, siting, density of occupation and provision of satisfactory car parking. However the consideration of the nature of use and occupation of the block has been significantly changed following the adoption of the Core Strategy and its particularly relevant policies H12, DM1 and SP1, which did not exist when application 090644/FO/2009/N2 was approved. It is considered right and appropriate for this revised policy approach to be applied to this application, which seeks approval for student accommodation.

With this in mind, the principle of the development has been related to the over-arching policy framework for purpose built student accommodation set out within Policy H12 of the Core Strategy and has been found to be unacceptable. The adverse affect of this form of multi-occupancy uses on residential amenity has also been related to Core Strategy policies SP1 and DM1. The City Council as Local Planning Authority acknowledge the regenerative and locational benefits associated with the redevelopment of this derelict site. However, without any justification for the need for further student accommodation it is not apparent how these benefits can be realised.

This application has been related to the dismissal of the following appeals by a Planning Inspector.

- i. Appeal Ref: APP/B4215/A/12/2180719 (095082/FO/2010/S1) Erection of part 4, part 5, part 6 storey building to form student accommodation comprising of 470 bedrooms together with essential user parking, landscaping and ancillary ground floor facilities
Location: 87 - 89 Coupland Street, Hulme, Manchester, M15 6HP.
- ii. Appeal Ref: APP/B4215/A/12/2186476 (099782/FO/2012/S1) - Erection of 15 storey new building to form student accommodation comprising of 104 no. bedrooms in 30 flats attached to the existing property known as Boundary Lodge including 2 car parking spaces
Location: Boundary Lodge, Boundary Lane, Manchester M15 6FD

In each case the Inspector considered whether there was a need for additional student accommodation and concluded that the respective appellants had not shown that there is a current need for further purpose-built student accommodation. Furthermore, the appellants had not demonstrated an arrangement with a higher education provider for the supply of bed spaces. The respective proposals were therefore considered to be contrary to Core Strategy policy H12.

As with the above case it is considered that the applicant has not demonstrated either a quantitative or qualitative need for the proposed scheme. It is also considered that, as with the above appeal applications, the current proposals would potentially cause harm through its contribution to the under occupation of purpose built student accommodation in Manchester. In such circumstances the proposal would be contrary to Core Strategy policy H12.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application.

In this case, the applicant has been advised of the changes to policy considerations and made aware of the approach of the City Council following the adoption of the Core Strategy. The applicant was advised that given the outcome of similar applications, including the Coupland Street application which was defended on appeal, the local planning authority would be unable to support the application. The applicant was invited to withdraw the application but has resolved not to do so. The proposals have therefore been considered as submitted and without the provision of any evidence to demonstrate need.

Further comments of the applicant – The applicant has via his planning consultant submitted that the following further comments in two separate letters:

- i. The applicant is concerned that the LPAs suggestion to withdraw this current application to allow a new submission for conventional apartments would generate a new fee. Given the previous approval of planning permission it is considered that the current application be determined on that basis. The LPA has not explicitly asked the applicant to demonstrate that there is a need for additional student accommodation. However, the LPA letter does indicate that the Council “maintains that there is an oversupply of such [student] accommodation” but does not provide any evidence or committee resolution which justifies this statement so that it can be considered further. The applicant maintains that the Council has not indicated which aspects of policy H12 have not been complied with. It is argued that the proposal is fully compliant with H12 ‘1’, ‘3’ and ‘4’, which seem to be the only location related criteria.
- ii. In response to this correspondence the referral of the application to committee was delayed to allow the applicant to respond to the LPAs comments. Further clarification was also given relating to the need to secure full compliance with policy H12, including evidence to demonstrate the need for student accommodation. This response also included details of a recent appeal decision where the LPAs approach to the provision of student accommodation was upheld.
- iii. In response, a further letter was received on behalf of the applicant, which reflects upon the City Council’s approach ‘the suitability and need for the proposed student accommodation in the light of Policy H12 of the Core Strategy’. It is argued the that:
 - a. This proposal would positively contribute to the local environment through the quality of its design, secure an active use for the site to the benefit of the visual and residential amenities of the area, improve the diversity of housing tenure in the local area;

- b. Provide a sustainable development which would be beneficial to the broader community thereby promoting the continuing regeneration of the locality.

The above arguments for approving are taken from the previous decision notice and the stated reason for granting planning permission. It is maintained, by the applicant, that the development was previously recognised as having very significant benefits which should not be discarded lightly; particularly as the site is currently a derelict parcel of land detracting from its surroundings. Consequently, the applicant argues that:

- i. The proposals are in accordance with National guidance that extant planning permissions (as was the case when this application was submitted) should be renewed unless there has been a material change in circumstances in the intervening period. The argument that policy H12 introduces a materially different policy circumstance is not valid as the 2009 Student Strategy Implementation Plan, adopted in October 2009 for development control purposes, introduced a test of need and, indeed, a general policy, which is very similar to the present H12. At that time the proposal was considered to be appropriate and so there is no material change in circumstances to justify a changed approach.
- ii. Notwithstanding the above, the underlying strategy is one of securing a continued increase in purpose built student accommodation of between 10% and 20% (as expressed in Objective 2 of the 2010 SSIP Update) and, if one looks at para 9.61 of the Core Strategy, this is endorsed with it being explained that assessing schemes against the Policy criteria will ensure that '....schemes are progressed in appropriate locations which meet the Council's regeneration priorities and the provision of further bed spaces in purpose built student accommodation will assist in encouraging students to choose managed accommodation over HMO's.
- iii. The applicant argues that 'it would appear to be a somewhat perverse approach to seek to encourage larger numbers of students to live in purpose built accommodation, especially with the Article 4 Direction in place, only to then refuse permission for such purpose built developments to take place'.
- iv. Whilst up to date evidence in relation to need appears limited, it is recognised that the Council's position is a move toward purpose built accommodation despite deceleration in the growth in student numbers and a need for such accommodation is towards the lower end of the range of the accommodation market.
- v. The applicant has argued that it 'would be a short-sighted approach to assume that, simply because the growth in student numbers has slowed most recently, that it will not recover; there are particular economic circumstances which are effecting all kinds of issues at present of which student numbers are clearly one. A failure to provide sufficient reserves of purpose built accommodation would actually have the opposite effect to that intended in that in an upturn it

would force more students into the established residential communities’

- vi. The applicant understands ‘that the Council’s position is that it wishes to see appropriate growth in purpose built accommodation, but it believes that the existing supply of commitments is sufficient in this regard. Para 9.61 of the Core Strategy specifically refers to assessments of need being required to consider the number of existing permissions. The application site is one of the committed schemes which formed the basis of the Council’s conclusion that there were sufficient consents already in place; there is nothing in the policy to suggest that these permissions will not be renewed and, once again, it would be illogical to adopt such an approach because it would undermine the basis of the Policy.’
- vii. Reference is made to a recent appeal decision in relation to the Coupland Street proposal. It is argued that as the appellant did not appear, the evidence of the Council was untested. However, the following arguments are drawn from the Inspectors decision:
 - a. The position that the Inspector accepted on the basis of the Council’s evidence was that the need was of the order of 1700 bed spaces, she then went on to conclude that there was a sufficient supply, whichever of the estimates of supply was accepted, and, consequently, refused the appeal proposal.
 - b. At no point was it suggested by the Inspector that there was an oversupply of existing commitments; the supply was sufficient to meet the need and the commitment on the present application site was part of that supply.
- viii. The applicant argues that in overall terms it appears that there is no dispute that there is a need for more purpose built student accommodation, the Council considers that sufficient permissions have been granted to enable this need to be met and the application site is one of the sites that was assessed as meeting this need. Nothing within the Policy indicates that the existing permissions will not be renewed and, indeed, in the light of the background to the Policy, it would be illogical to do so, the Policy is primarily aimed, rightly or wrongly, at controlling additional permissions.
- ix. Furthermore, it is presumed that the reason the Council wishes to control the provision of purpose built student accommodation is related to its’ concerns regarding demand and student numbers, which if proved to be correct would result in surplus and unoccupied student accommodation with no obvious alternative use. However, the application proposal was specifically designed to safeguard against such an eventuality with the individual rooms being arranged so that, should it ever prove to be necessary, the building could be converted into apartments. The scheme is, therefore, specifically protected against the eventuality that presumably motivated the drafting of the Policy and, consequently, there would be no harm as a result of the permission being granted.

- x. On the basis of the above, it is maintained that the proposal which should be renewed.

Student Accommodation Demand – Policy H12 (Criterion 9) requires that applicants / developers demonstrate that:

- i. There is a need for additional student accommodation or that a formal agreement with a University or another provider of higher education has been entered into for the supply of all or some of the bed spaces;
- ii. Their proposals for purpose built accommodation are deliverable.

There is concern that, due to the current stock of student accommodation and a recent drop in university admissions (attributed to a rise in tuition fees), there is an oversupply of purpose built student bed spaces. The applicant has not provided any evidence to demonstrate that dialogue has been entered into with either the University of Manchester or Manchester Metropolitan University. Without the support of the above institutions there is concern that the proposal would fall outside any coherent strategy for the provision of student accommodation based upon an assessment of need and the management of stock replacement.

There is a general unease, shared by both institutions and the City Council, that there are too many recently built and proposed new build student accommodation developments. The delivery of extant schemes could potentially result in an oversupply of this form of accommodation, thereby resulting in a number of negative aspects including: empty properties, developments in inappropriate locations and the implementation of developments that undermines the City's regeneration efforts in certain locations.

These concerns led the City Council to commission a Student Strategy which was produced by Tribal Consulting in 2009; based on a brief developed by Manchester City Council, University of Manchester and Manchester Metropolitan University relating to:

- i. An assessment of the provision and pattern of future student accommodation;
- ii. The identification of opportunities for effective neighbourhood management so to mitigate the negative aspects of student accommodation.

The report was updated in 2010 by 'Place First' to refine the initial new build halls demand and supply analysis. The analysis concludes that based on developments in the pipeline and demand for student bed spaces, there would be a significant oversupply of bed spaces with supply outstripping demand. This led to the formulation of Policy H12 within the adopted Core Strategy. Since 2010 the City Council's concerns surrounding the capacity of the City to sustain further student accommodation has not waned which has led to the need for further studies into the issue.

With regard to the applicant's comments regarding the supply of student bed spaces, it is the case that the 'Places First' (Update 2010) estimates a provision of 1736 bed spaces to 2014 -15. It is also the case that the previous planning approval (090644/FO/2009/N2) was included in a Student Accommodation Pipeline Schedule

prepared in 2012. This schedule supplemented the details of the 'Places First' (Update 2010) with more recent information drawn from application data on the Uniform system and identifies:

- a) Purpose Built Student Accommodation with extant consent
- b) Applications in the system that are undetermined
- c) Applications that have been refused that could be appealed or are the subject of an appeal
- d) Built out / Part Implemented Schemes and listed in the Places First Update Document
- e) Student Accommodation built that was not identified in the Places First Update Document

A total of 1,329 student bed spaces in the development pipeline have been identified in Category (a) and a further 1,840 student bed spaces in constructed developments and falling within Category (d) and (e) respectively. This equates to an overall pipeline supply of 3,169 bed spaces.

If the 59 bed spaces related to the current proposals are excluded from the above figure, together with the bed spaces associated with the appeal dismissals at Coupland Street and Boundary Lodge (470 and 104 bed spaces respectively), 2,536 bed spaces would still remain in the student accommodation pipeline. It is therefore considered that, even without the bed spaces attributable to the current proposals, there remains a potential for a significant over supply of student accommodation in the city for the period up to 2014-15.

It is recognised that when considering the previous planning permission ref: 090644/FO/2009/N2, reference was made to the Student Strategy (2009) but it was considered that greater weight should be given to the regeneration benefits of securing the redevelopment of a highly prominent and derelict site. Planning permission was granted on the basis that it was likely that the scheme would commence within 3 years. Clearly, the authorised development has not been delivered within this period and the applicant has not demonstrated the likelihood of its delivery within the next three years.

It is considered that extant planning permissions for purpose built student accommodation with closer locational relationships to university campuses are the most likely to be brought forward. The delivery of such schemes will not only respond to any future demand for student accommodation in the short to medium term but is also likely to reduce the potential for the application site to be developed.

It is therefore considered that, if planning permission were to be granted, there is a strong likelihood that the scheme would remain unimplemented or would be developed without any certainty regarding its future and sustainable occupation. The latter circumstance would increase the possibility of an oversupply of student accommodation in the city. It is therefore considered that, given concerns regarding the location of the site, the deliverability of the scheme and the future occupancy of the proposed building, the development would fail to comply with Policy H12 of the Core Strategy.

In light of the above and the applicant's failure to demonstrate demand for the development or have an agreement in place with either of the Universities, it is considered that proposal fails on a key point within Policy H12 of the Core Strategy.

Residential Amenity – The LPAs assessment regarding the impact of the development on residential amenity has not changed since the consideration of the previous planning application (090644/FO/2009/N2). It is therefore considered that the site has the potential for redevelopment for residential purposes, including conventional apartments, without unduly affecting residential amenity.

Design – The design of the residential block, including its height, scale, massing and siting, is considered to be acceptable in terms of its relationship to the surrounding context.

Sustainability - The proposed development is located within a highly sustainable area, in terms of its proximity to bus routes along Stockport Road, Plymouth Grove and Dickenson Road, providing access to and from the City Centre and local centres. The site is also within walking distance of Longsight District Centre and local health care facilities. Given the proximity of the site to the local transport network and local services the site would lend itself to suitable residential development.

Car Parking – There is no policy standard for parking provision for student accommodation and therefore each scheme should be considered on its individual merits. In this case, it is considered that any future residential scheme would reflect upon the proximity of the site to local public transportation links and the levels of required car parking provided accordingly.

Conclusion - The developer has failed to demonstrate that there is a need for the development as outlined by policy H12 of the Core Strategy and there is no certainty that the development will be delivered if the period for implementation.

Human Rights Act 1998 considerations – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Head of Planning has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the refusal of the application is proportionate to the wider benefits of refusal and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation REFUSE

Article 31 Declaration

Officers have advised the applicant of the changes to policy considerations and made aware of the approach of the City Council following the adoption of the Core Strategy. The applicant was invited to withdraw the application but has resolved not to do so. The proposals have therefore been considered as submitted

Reason for recommendation

Refuse on the basis that the proposal conflicts with Policies SP1, DM1, EN2 and H12 of the Manchester Core Strategy of the Local Development Framework (LDF).

1) The applicant has failed to demonstrate that there is unmet need for the proposed student accommodation or that they have entered an agreement with an education provider for the provision of student accommodation. As such the proposal is not in accordance with the provisions of Policy H12 of the Core Strategy of the Local Development Framework (LDF).

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 100700/REP/2012/N2 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

Corporate Property
Environmental Health
Contaminated Land Section
South Manchester Regeneration - Central SRF
Greater Manchester Police
3 Birch Lane, Manchester, M13 0NW
30 Toll Gate Close, Manchester, M13 0LG
424 Stockport Road, Manchester, M12 4EX
441 Stockport Road, Manchester, M12 4JB
68 – 74 (even) Kingfisher Close, Manchester, M12 4PW
Apartment 1 - 37, 1 Birch Lane, Manchester, M13 0NW
Flat 1 – 20 (incl.), Surrey Lodge 2-4, Birch Lane, Manchester, M13 0NN
Flat 1 - 3, 6 Birch Lane, Manchester, M13 0NN
360 - 362 Plymouth Grove, Manchester, M13 0LX

Representations were received from the following third parties:

Councillor Suzanne Richards

Central Manchester Regeneration Team
Contaminated Land Section
Strategic Area and City-wide Support Manager

Relevant Contact Officer : Carl Glennon
Telephone number : 0161 234 4530
Email : c.glennon@manchester.gov.uk