

Steven McCoombe
Planning
Manchester City Council
PO Box 532
Manchester
M60 2LA

18 June 2025

Submitted via Planning Portal (ref: PP-14108791)

Dear Steven

Application for the Approval of a Minor-Material Amendment to 138100/JO/2023: Full Planning Permission for a Student Accommodation Development at St Gabriel's, Oxford Place

On behalf of our client, McLaren Property Limited ('the Applicant'), please find enclosed an application made under Section 73 of the Town and Country Planning Act 1990 to make a minor-material amendment to Condition 2 of planning permission 138100/JO/2023 at St Gabriel's, Oxford Place, Manchester ('the Site'), which relates to the approved plans.

The permission was originally granted on 17th March 2023 with the reference 135848/FO/2022 and subsequently varied through the Section 73 approval dated 13th November 2023. The description of development reads:

'Erection of part 4 storey, part 5 storey buildings, together with the refurbishment and restoration of existing buildings to form student accommodation (sui generis) together with associated landscaping, cycle parking, car parking and associated works following demolition of certain existing buildings.'

The Proposed Amendments

Background

Since the planning approval in 2023, the design of both the new and refurbished buildings has undergone significant design development as the scheme has moved through the RIBA Design Stages, with a strong focus placed on achieving the above sustainability targets at all times.

As part of the design strategy, there was an initial design aspiration to include a large photovoltaic (PV) array on the main roof and a sedum roof on the lower roofs of the new buildings within the development (referenced Building 03 and Building 04).

Following more detailed design development, it was determined that there was limited available space on the main roof for the PV array. In addition, the ecological analysis confirmed that the

proposed sedum roof had limited biodiversity value and therefore minimal contribution to the improvement in ecological value.

An alternative design strategy was then developed, to maximise the quantum of PV to be installed, by including PV panels on the upper and lower roof levels of the new buildings, and on the roof of the external bicycle enclosure, and exclude the sedum roof.

As it is often the case with sustainability design strategies, it has been necessary to analyse different design features and the benefits each provides to the achievement of the overall sustainability targets. This analysis concluded the following:-

- Inclusion of the PV array has a significant impact on both achieving the EPC A rating and BREEAM targets for the new buildings, as well as a wider influence on the predicted operational energy demand for the development and reducing the associated CO2 emissions.
- Exclusion of the sedum roof does not have a significant impact on the change in ecological value, and therefore no impact on achievement of the targeted BREEAM rating.

It is recognised that in some circumstances, it is feasible to incorporate a biodiverse roof with PV panels, however, this was explored as a design option and confirmed as not feasible in this situation, due to the required low pitch of the PV panels overshadowing the green roof system.

On balance, it is therefore proposed that the inclusion of the larger array of PV panels, and the exclusion of the sedum roof, delivers an overall sustainability benefit.

The Proposed Amendments

Enclosed with this submission is a set of revised plans to supersede those previously approved, as set out in the table appended to this letter.

It is proposed to include Photovoltaic ('PV') panels on the roofs of all buildings, split as follows:

Key Information	Building 3	Building 4
Number of solar panels	86	112
Estimated Energy Yield (kWh) per annum	32,334	42,300
CO2 Saving (kg)	6,273	8,206
System Size (kWp)	38	50

Each panel measures c. 1722 x 1134 x 30 mm and are proposed to be arranged as shown on the submitted plans. For buildings 3 and 4, this has required the omission of the previously shown green roofs.

Assessment

Planning Practice Guidance is clear that an application made under section 73 of the Town and Country Planning Act 1990 can be used to make a material amendment by varying or removing conditions associated with a planning permission. There is no statutory limit on the degree of change permissible to conditions under section 73, but the change must only relate to conditions and not to the operative part of the permission.

It has been agreed with officers at the Council that the proposed amendment may require additional information to demonstrate it would not give rise to any visual or unacceptable sustainability impacts and, therefore, it is on this basis that AshtonHale have submitted this application for a minor material amendment. The proposed amendment is required to optimise the sustainability performance of the development by maximising on-site renewable energy generation, and relates solely to the introduction of PV panels on the roofs of the buildings within the scheme. The amendments will not impact on any other part of the approved development.

The key technical areas that may have considered / relied upon green roofs in the original planning submission are set out below, with a summary provided and more detailed notes enclosed with the application:

- **Visual and Heritage Impact** - Technical notes covering visual impact, glint/glare analysis, and any heritage impact have been submitted with this application. The notes conclude that the proposed PV panels will not be visible from street level due to their placement below the parapet, will not generate significant glint or glare, and will have no adverse impact on the heritage assets.
- **Drainage** - an updated Surface Water Drainage Strategy has been submitted separately under Condition 13 of the permission which reflects the introduction of PV. This updated design includes increased attenuation capacity, ensuring that the site remains free from flooding even without the implementation of the green roofs previously proposed. The revised strategy remains fully compliant with the Non-Statutory Technical Standards for Sustainable Drainage Systems and continues to follow the SuDS hierarchy, with appropriate use of source control, conveyance, and attenuation features to manage surface water on site.
- **Ecology** - the reports submitted as part of the original (and amended) planning applications did not reference or consider the inclusion of green roofs. Biodiversity Net Gain was not considered at the time of the application.
- **BREEAM / Sustainability** - planning permission for the development was approved on the basis of achieving a BREEAM rating of 'Very Good'. This would still be achieved. Notwithstanding this, a note accompanies this submission which discusses the potential change in scheme sustainability credentials as a result of the proposed changes and inclusion of PVs. This concludes that the exclusion of the sedum roof does not significantly affect ecological value or BREEAM targets, while the expanded PV array supports improved energy performance and carbon reduction, thus delivering an overall sustainability benefit.

It is considered that the introduction of PV panels wouldn't materially change the conclusions of any of the other technical assessments that supported the original application (ref: 135278/FO/2022). In addition, there are no changes to the Development Plan or material planning circumstances since the grant of that consent that would need to be considered in determining the changes proposed under this application.

Summary

In summary, the "effect of the change" of the proposed amendments is minor-material, and the scope of this application has been prior agreed with MCC. The amendments to the approved

plans are required to enable the development site to come forward and contribute to MCC's supply of student accommodation, and sustainable development, in the quickest timescale.

I trust that the enclosed information will enable you to validate the submission as soon as possible. If you have any queries or require any further details, please do not hesitate to contact me.

Yours sincerely,

Louisa McCarthy
Associate Director

AshtonHale Ltd

Enc. Table of Submitted Plans
Design Statement
Drainage Report
Glint and Glare Study
Heritage Statement Addendum
PV System Technical Note
Sustainability Note