



AshtonHale

Jennifer Atkinson

Planning
Manchester City Council
Town Hall Extension
Albert Square
Manchester
M60 2LA

Submitted via Planning Portal (ref: PP-14138688)

10th July 2025

Dear Jennifer

Application for the Approval of a Minor-Material Amendment to 137399/FO/2023: Full Planning Permission for a PBSA and Life Sciences Development at Upper Brook Street, Manchester.

On behalf of our client, Kadans Science Partner 8 UK Ltd ('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 137399/FO/2023 at land bounded by Upper Brook Street, Cottenham Street & Kincardine Road, Manchester, M13 9TD ('the Site'). Permission was granted on 29th November 2024 for the following description of development:

Erection of a 6 to 9 storey building for Sci-Tech use (Use Class E (g)(ii)) and 265sqm of a cafe/bar (Use Class E (b)), and a 9 to 23 storey building for Purpose Built Student Accommodation (PBSA) (Use Sui Generis), comprising 737 bedrooms and 293sqm of community use (Use Class F2 (b)) and 80sqm of commercial floorspace (Use Class E), alongside new public realm, access, parking, and associated works following demolition of existing buildings.

Material provided as part of this planning application refers only to the approved life science building.

The Proposed Amendments

Background

As discussed in correspondence with Manchester City Council, the Applicant is now moving forward with the approved development and hopes to make a start on site shortly. In preparation for their start on site, the Applicant has begun to submit a series of conditions pursuant to application ref. 137399/FO/2023.

The approved scheme included a comprehensive landscaping strategy aimed at delivering high-quality public realm and enhancing the surrounding city fabric. The original proposal involved the removal of 21 existing trees and 3 hedgerows, with a commitment to plant 74 new trees across the site to provide appropriate mitigation across the entire application site. The Council acknowledged at the time of

determination that the removal of these trees was necessary to facilitate delivery of the development. Within the Sci-Tech site, one tree (tree T21) located adjacent to the Elizabeth Yarwood Court footprint, was identified for retention. This tree is classified as Category B with a 'good' structural condition, as outlined in the arboricultural report submitted under the original application.

The Proposed Amendments

During site preparation, it has become apparent that retention of tree T21 is no longer feasible due to site access and construction logistics constraints, which have only become known once a contractor has been appointed to deliver the scheme. This application therefore seeks to amend the plans approved under Condition 2 to reflect the removal of tree T21 for the following reasons:

1. **Crane Operations:** The location of the tree obstructs the designated pick-up zone for tower crane operations, a critical element of the construction programme.
2. **Access and Logistics:** The tree's position and associated protection fencing severely restrict general access around the building during construction.
3. **Delivery Routes:** The designated delivery exit route is compromised by the presence of the tree.
4. **Drainage:** Tree T21 intersects with the path of a surface water pipe feeding into the site's attenuation tank, creating a conflict with essential surface drainage infrastructure.

These specific constraints were not fully identifiable during the planning application stage. It is only through more detailed site investigation and preparatory works undertaken once the contractor has been appointed that the full extent of the conflict with tree T21 has become clear. It is therefore proposed that the removal of this tree is necessary to advance development at the site, with compensatory additional planting proposed elsewhere on-site.

Enclosed within this submission is a set of revised plans to supersede those previously approved, as set out in the table appended to this letter. Reform Landscape Architects have detailed within these plans, additional tree planting to mitigate the loss of tree T21. Updated biodiversity information has also been prepared by Brooks Ecological Ltd. to assess the loss of the tree at the site and re-calculate the BNG figures present at the site. To demonstrate the constraints caused by the tree's position at the site, the Applicant has prepared a 'Utility Survey with SUDS overlay' plan and a marked-up site logistics plan to detail the limitations.

Additionally, it is also noted that, as tree T21 was the only retained tree associated with the life science building, Condition 5 of the planning permission no longer applies to this part of the development.

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 biodiversity or unacceptable sustainability impacts and, therefore, it is on this basis that AshtonHale have submitted this application for a minor material amendment under Section 73 of the Town and Country Planning Act (as amended). The proposed amendment is necessary to allow the construction of the life science element of the site and the delivery of the significant new jobs and realise the substantial economic benefits that were identified at the planning application stage.

The proposed changes are limited in scope and do not affect any other aspect of the approved development beyond the matters addressed in this letter. They do not alter the conclusions of any

technical reports, or the Environmental Statement, submitted and approved as part of the original planning application.

The original scheme was assessed and approved on the basis of a comprehensive landscaping and public realm strategy, which included the removal of 21 trees and 3 hedgerows, balanced by the planting of 74 new trees across the student accommodation and life science building sites. In arboricultural terms, tree T21 was originally identified for retention, but its removal has now been demonstrated to be necessary to enable critical construction logistics and site infrastructure. This conclusion has emerged only through detailed preparatory work which were not available at the time of the original application.

To mitigate the loss of tree T21, Reform Landscape Architects have prepared an updated planting strategy that proposes 3 replacement trees at the site, along with the replacement of 3 previously approved multi-stem trees with semi-mature specimens. These changes strengthen the site's planting scheme and further enhance ecological value. The revised planting layout also results in an update to the design of the informal play route, as shown in the revised plans submitted with this application.

Planning officers have identified the potential impact on the ability to achieve the overall biodiversity net gain ('BNG') secured as part of the planning permission, and so, updated DEFRA Biodiversity Metric 3.1 calculations have been enclosed within this submission (reference. BM-8498-01 and BM-8498-02). These calculations take full account of the removal of Tree T21 and the proposed replacement planting.

The development at the Sci-Tech site is predicted to achieve a 18.26% gain in habitat units. When considered across the entire site (both the Sci-Tech development and the PBSA development), the predicted gain increases to 54.13%. These outcomes exceed statutory BNG requirements and demonstrate that the removal of tree T21 has no material impact on the scheme's ability to deliver biodiversity gains.

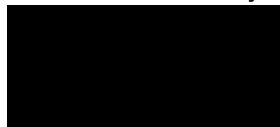
The revised planting strategy not only compensates for the tree's loss, but also reinforces the robustness of the biodiversity enhancements embedded in the development. As such, the proposals continue to secure significant environmental benefits and comply with the biodiversity and sustainability objectives of the original planning consent. It is considered that the removal of tree T21 would not materially change the conclusions of any of the other technical assessments that supported the original application (ref. 137399/FO/2023). 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 the application.

Summary

In summary, the "effect of the change" of the proposed amendments is minor-material. The amendments to the approved plans detailed under Condition 2 are required to enable the development site to come forward.

I trust the above is in order and I look forward to receiving confirmation that the application has been validated. Should you require any additional information in order to progress the application, please contact me.

Yours sincerely,



Neil Lucas
Director

AshtonHale Ltd

Enc. Table of Plans
BM-8498-01 Kadans BNG Metric
BM-8498-02 Whole Site BNG Metric
Biodiversity Net Gain (BNG) Update Note
Utility Survey Plan with SUDS Overlay
Site Logistics Plan

Appendix I

Supporting Plans

Plan Title	Document/ Plan Reference	Author
Landscape General Arrangement	UBS-RFM-XX-00-DR-L-0101- P08	Reform Landscape Architecture
Planting Strategy	UBS-RFM-XX-00-DR-L-0105- P08	
External Levels	UBS-RFM-XX-00-DR-L-0106- P05	
Detailed Planting Plan 01 of 03	UBS-RFM-XX-00-DR-L-0107- P02	
Detailed Planting Plan 02 of 03	UBS-RFM-XX-00-DR-L-0108- P03	
Detailed Planting Plan 03 of 03	UBS-RFM-XX-00-DR-L-0109- P03	
Hard Landscape Details	UBS-RFM-XX-XX-DR-L-8001- P03	
Soft Landscape Details	UBS-RFM-XX-XX-DR-L-8002- P04	
Street Furniture Details	UBS-RFM-XX-XX-DR-L-8003- P03	
Designers Risk Assessment	UBS-RFM-XX-XX-HS-L-0001- P04	
Landscape NBS Specification	UBS-RFM-XX-XX-SP-L-0002- P03	
Landscape Maintenance Specification	UBS-RFM-XX-XX-SP-L-0003- P01	
Other Supporting Documents/ Plans		
Biodiversity Net Gain (BNG) Update	04 th July 2025	Brooks Ecological
Biodiversity Metric 3.1 Calculation Tool Kadans	BM-8498-01	
Biodiversity Metric 3.1 Calculation Tool	BM-8498-02	
Site Logistics Plan		
Utility Survey Plan with SUDS Overlay		