

Jennifer Atkinson

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

Submitted via Planning Portal (ref: PP-13809507)

26th February 2025

Dear Jennifer

Application for the Approval of a Minor-Material Amendment to 137401/FO/2023: Full Planning Permission for a PBSA and Life Sciences Development at Upper Brook Street, Manchester

Amendments to Block B of the Upper Brook Street Masterplan

On behalf of our client, Williams Motor Co (Holdings) and Alliance UBS 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 137401/FO/2023 at land between Upper Brook Street, Kincardine Road, and Grosvenor Street ('the Site'), which lists the approved plans. The permission was granted on 29th November 2024 for the following description of development:

Full planning application for the demolition of existing buildings and erection of three ground floor + 12/14/29 storey buildings to be used for Purpose Built Student Accommodation (Use Sui Generis), comprising 983 bedrooms in total and 506sqm of ground floor ancillary uses (café/commercial and convenience store - Use Classes E (a)/(b)/(c)), three buildings comprising ground floor + 5/7/9 storeys for Science and Innovation uses (Use Class E (g)(i) & (ii)) and 834sqm ground floor community uses (retail/ cafés and medical facility (Use Classes E (a)/(b) and (e)), and the provision of new public realm, two new public squares, new access and parking, and associated works

The Proposed Amendments

As discussed in our pre-application meeting on 25th October 2024, a number of amendments are proposed in direct response to the results of intrusive surveys undertaken since the resolution to grant received at the Planning & Highways Committee in January 2024. Surveys have helped verify more accurate locations of the various existing utilities that run below Kincardine Road, which are closer to the site and specifically proposed building "Block B1" than originally anticipated. Block B1 is proposed as a life sciences building.

These changes primarily relate to the chamfering of the north-east elevation of life sciences Block B1 to align with existing utilities and easements, which in turn has resulted in minor updates to the arrangement

of the floorplates and the landscaping strategy. It was agreed these changes could be considered as a minor material change and be considered under Section 73 of the Town and Country Planning Act 1990. This application, therefore, seeks to replace the relevant plan / document approved under Condition 2 of the original planning consent with the revised details provided.

Each change is set out below for clarity with more detail provided within the Design and Access Statement Addendum:

- Chamfering the north-east elevation of Block B1 to align with existing utilities and easements;
- Omitting the colonnade that fronted Kincardine Road on the north-east elevation of Block B1;
- Reducing the size of the Level 6 amenity terrace along the south-east elevation of the building to align with lab layouts and subdivision (from 293sqm to 158sqm);
- Updating the core and internal arrangements in Block B1 to better align with current trends and market demand within the life sciences sector;
- Omitting the basement in Block B1;
- Introducing a standalone lettable (retail / café, Use Class E) to the ground floor of Block B1; and
- Landscape changes to align with new Block B1 footprint, namely:
 - Small areas of planting adjacent to Block B1 changed to respond to new door locations.
 - Green space arrangement altered to respond to narrowing of space between Blocks A3 and B1. Central play path removed and replaced with lawn. Lawn to include informal play features. Seating offer retained.
 - Green space arrangement opposite lay-by slightly updated to accommodate revised service vehicle tracking to Block B1.
 - Minor alteration to service vehicle access point off Kincardine Road and turning area adjacent to Block B1.
 - Alteration to green space layout to respond to omission of building overhang and new service vehicle tracking. Pathway through green area orientated to respond to pedestrian movement to and from crossing
 - New clearly defined open space opposite ground floor commercial unit to accommodate potential spill-out.
 - Four trees relocated into public square as part of general tree redistribution (new location outlined in orange). Displacement caused by utility easement restrictions and consolidation of some areas of green space described above.

Collectively, these design changes result in an increase of 305sqm in the total Gross Internal Area of Block B1. There are no changes proposed to any of the other blocks or landscape areas approved as part of the wider development.

As agreed, this application is supported by the following information:

- This covering letter prepared by AshtonHale
- An updated set of architectural and masterplan drawings prepared by HawkinsBrown Architects
- An updated set of landscape drawings prepared by re-form landscape architects
- A Design and Access Statement Addendum (ref: UBS-HBA-XX-XX-RP-A-080003) prepared by HawkinsBrown Architects
- An Updated Utilities Report, prepared by KJ Tait
- An Addendum Report on Highways and Transport Matters (ref: J000370-HTN07e) prepared by Focus Transport

- An Environmental Statement Addendum, prepared by RJK Consulting

It is our view that the proposed amendment would not affect, or necessitate an update, to the conclusions of any of the other supporting documents that were considered and approved under the current planning permission (ref: 137401/FO/2023).

Policy Update

An updated version of the NPPF was issued in November 2024, since the grant of planning permission ref: 137401/FO/2023. The main areas of revised guidance relate to housing requirements and land supply, local plans, design, green belt, renewable energy and infrastructure as well as strengthening the support for brownfield development.

It is considered that the revised guidance does not change the overall considerations that led to MCC grant the original planning permission, or materially impact on the consideration of this Section 73 application. As such, no update has been deemed necessary to the approved Planning Statement nor any of the other documents to simply reflect the revised guidance.

Assessment

As set out above, since the planning application received a resolution to grant permission in January 2024, an intrusive utilities survey has been undertaken which identifies the exact locations of existing utilities. To ensure the appropriate building exclusion zone can be adhered to, the footprint of Block B1 needs to be amended. This has had various knock-on effects as outlined in the proposed scheme amendments above. The amendments relate solely to Block B1 and the surrounding landscaping and will not impact on any other part of the approved development.

Planning Practice Guidance¹ 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.

As set out above, it has been agreed with MCC that the proposed amendments may require additional information to demonstrate they would not give rise to any additional technical impacts and, therefore, it is on this basis that AshtonHale have submitted this application for a minor material amendment. For clarity the proposed amendment does not alter the approved Description of Development.

The submitted plans and Design and Access Statement Addendum comprehensively set out the proposed amendments and any design and landscaping impacts they will have.

The updated Utilities Report includes the survey information now available and sets out how the proposed life sciences buildings (including the proposed amendments to Block B) relate to existing and proposed utilities services.

An Environmental Statement Addendum has also been prepared and summaries of the Chapters are set out below:

Townscape and Visual

There have been no amendments to the proposed development such that an update to the TVIA is required, and no additional environmental information is required with regards to TVIA. As such, the June 2023 ES and November 2023 ES addendum remain valid and there are no additional significant effects associated with TVIA.

¹ Paragraph: 013 Reference ID: 17a-013-20230726, Revision date: 26 07 2023

Built Heritage

Changes to the proposed development would not alter the level or significance of effects on heritage assets during the construction or completed development phase and as a result there are no changes to or additional residual effects identified since the June 2023 ES and November 2023 ES addendum.

Transport

The Addendum Report on Highways & Transport Matters prepared by Focus Transport reviews the amendments to Block B1's servicing arrangements and connections to the adopted highway and finds no issues. It also looks at the development's travel demand effects due to the increase in floorspace and concludes that any related changes in employment-based car travel demand to / from the site would be negligible and would not give rise to material changes in local transport network operational conditions. It is therefore considered that there is no requirement to revisit the core transport network performance analysis set out within the previous 2023 TA and ES submission and that the previously identified core conclusions set out within these documents remain the appropriate reference point for the appraisal of development related highways and transport impact.

Socio-Economics

The additional floorspace translates to a 2.7% increase on the jobs identified in the previous assessment. Given the small increase there have been no amendments to the proposed development such that an update to the socio-economic assessment is required, and no additional environmental information is required. As such, the June 2023 ES and November 2023 ES addendum remain valid. For the local economy, a rating of medium magnitude of impact and medium sensitivity of receptor is unchanged with a Moderate Beneficial effect rating, which is Not Significant in EIA terms.

Daylight, Sunlight and Overshadowing

An updated Daylight, Sunlight and Overshadowing assessment has been undertaken by Proximity. The results of the assessment have shown that notwithstanding the negligible changes to the measured daylight and sunlight values resulting from the change to the massing of the Proposed Development, no changes are required to the conclusions drawn in the June 2023 ES or November 2023 ES Addendum.

Wind

There have been no amendments to the proposed development such that an update to the wind assessment is required, and no additional environmental information is required. As such, the June 2023 ES and November 2023 ES addendum remain valid.

Wind conditions continue to be suitable for all thoroughfares, roadways, bus stops, proposed entrances, off-site entrances, proposed ground level amenity, proposed terrace level amenity and existing amenity spaces. All wind effects are negligible (not significant).

Climate Change

There have been no amendments to the proposed development such that an update to the climate change assessment is required, and no additional environmental information is required. As such, the June 2023 ES and November 2023 ES addendum remain valid.

In summary, the Environmental Statement Addendum has confirmed that no new significant residual effects have been identified.

It is our view that the proposed amendments would not affect, or necessitate an update, to the conclusions of any of the other supporting documents that were considered and approved under the current planning permission. In addition, there are no changes to the Development Plan (other than the revised NPPF

referred to above) since the grant of that consent that would need to be considered in determining this application.

Summary

In summary, it is considered that the proposed amendments are minor-material, and the amendments proposed have been prior agreed with MCC subject to providing additional material to demonstrate they would have no additional material impacts over and above the consented proposals. The amendments to the approved plans are required to enable the development site to come forward.

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 contact me.

Yours sincerely,

Neil Lucas

Director

AshtonHale Ltd