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541 Wilbraham Road – Section 73

Dear Officer,

This letter has been prepared by Eden Planning & Development Ltd (the Agent) on behalf of Southway Housing Trust (the Applicant) to support a Section 73 (S73) Application at 541 Wilbraham Road, Chorlton Cum-Hardy (the Site).

This S73 application seeks to vary Condition 3 (approved plans) and 11 (hard and soft landscaping) attached to full planning permission reference: 144423/FO/2025 which was granted 05 January 2026 and permitted:

Erection of 3-storey building to provide 9 no. apartments (Class C3), landscaping and associated works following demolition of all existing structures.

This letter should be read in conjunction with the support plans and documentation:

- Relevant Application Fee (£671.00)
- Application Form (submitted via the planning portal ref: PP-14663820)
- Ownership Certificates (submitted via the planning portal ref: PP-14663820)
- Planning Cover Letter prepared by Eden Planning
- Drawings to include:
 - o Landscape Plan (REF: 7620.02 DATED: 23/01/2026)
 - o Traffic Management Plan (REF:1150-VIEW-XX-PSP-A-011 DATED: 02/02/2026)
- BNG Metric and Assessment (REF: 82-194-R2-5 DATED 01/2026)
- Arboricultural Impact Assessment (REF: 82-194 DATED 02/2026)
- Construction Method Statement (REF: CMS Rev 2 DATED: 02/02/2026)

Site and Background

The Application Site comprises No. 541 Wilbraham Road, a vacant 2.5-storey building (which formerly occupied Gablenook Nursery) located at the junction of Wilbraham Road and Corkland Road in South Manchester, within the Chorlton District Centre.

Recently the Applicant obtained full planning permission for the Site in January 2026 for:



Erection of 3-storey building to provide 9 no. apartments (Class C3), landscaping and associated works following demolition of all existing structures.

Condition 3 of planning permission ref 144423/FO/2025 relates to:

3) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings referenced 1105(PL)001 (Block and Location Plan), 1105 (PL)001 (Demolition Plan), 1105 (PL)101 (Proposed Ground and First Floor Plan), 1105 (PL)102 (Proposed Second Floor and Roof Plan), 1105 (PL)103 (Proposed Elevations 1 of 2), 1105 (PL)104 (Proposed Elevations 2 of 2) and 1105 (PL)105 (Proposed Street Scene), received by the City Council as Local Planning Authority on 3 November 2025.

Reason - To ensure that the development is carried out in accordance with the approved plans. pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

Condition 11 of of planning permission ref 144423/FO/2025 relates to:

Notwithstanding details submitted, no above ground development shall commence until a hard and soft landscaping treatment scheme, including replacement tree planting, has been submitted to and approved in writing by the City Council as Local Planning Authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy and policies JP-S1, JP-P1 and JP-H3 of the Places for Everyone Joint Development Plan.

Proposed Amendments

Section 73 of the Town and Country Planning Act 1990 allows Local Planning Authorities to issue a decision to facilitate post approval amendments. There is no statutory definition of what can be sought through a S73 application, with each case being a matter of fact and degree.

In this context, the proposed amendment involves the removal of two existing trees (T1 and T2) located in the eastern part of the site. Both trees are identified in the updated Arboricultural Impact Assessment as Category B1 (Holly). It should be noted that the removal of T3 has already been approved under planning permission reference 144423/FO/2025.

The need for their removal arises primarily from site access and construction logistics. There is currently no direct vehicular access into the site, and all reasonable options for off-loading and storing materials have been explored. The site frontage onto Wilbraham Road is constrained by traffic lights and a pedestrian crossing, making it impractical and unsafe to park and off-load



materials from that elevation. Consequently, the only viable access point is from Corkland Road. Once scaffolding is erected, the remaining working space would be extremely limited unless the two trees are removed to allow use of that area for material storage and manoeuvring. If the trees are retained, there would effectively be no usable space available for these purposes.

In addition, there are arboricultural concerns relating to the proximity of the trees to the approved apartment block building. The root protection areas (RPAs) of T1 and T2, as identified in the tree report submitted with 144423/FO/2025, extend within the footprint of the proposed building foundations and the foundations required for the balcony supports. Retention of the trees would therefore present a significant risk of root damage during construction. Furthermore, it is likely substantial pruning would be required to facilitate the installation of balconies and erection of scaffolding, which would likely compromise the long-term health and amenity value of the trees.

The proposed amendments are minor in the context of the overall permission and do not represent a significant departure from the principles of the approved scheme. The scale, layout, design, and overall form of development remain unchanged, with the amendment limited to the removal of the two trees for the practical and technical reasons set out above. As such, the proposed changes are appropriately considered under Section 73.

The application is supported by an updated Arboricultural Impact Assessment (AIA), a revised Biodiversity Net Gain (BNG) metric, updated Landscaping Plans, a Construction Management Plan, and a Traffic Management Plan, all of which demonstrate that the development can proceed in a safe, coordinated, and policy-compliant manner.

Policy Context

The Development Plan is the starting point for decision making as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004. Proposals that accord with an up-to-date Development Plan should be granted without delay.

The Development Plan comprises:

- Manchester Core Strategy (2012)
- Places for Everyone Development Plan (2024).

Specifically, we have considered the following policies:

Manchester Core Strategy (2012):

- Policy EN8 – Adaption to Climate Change
- Policy EN9 – Green Infrastructure
- Policy EN15 – Biodiversity

Places for Everyone (2024):

- Policy JP-G8 – A Net Enhancement of Biodiversity and Geodiversity

Planning Assessment



As outlined above, the proposed removal of two trees in the eastern part of the site is necessary to enable safe construction access and the delivery of the approved development under ref: 144423/FO/2025. Without their removal, vehicles would be unable to off-load materials efficiently due to the constrained access points, scaffolding and balcony installation would be severely restricted, and the proximity of the trees to the proposed foundations presents a real risk of root damage that could compromise the structural integrity of the building. Retaining the trees would therefore prevent practical construction and the successful delivery of the approved scheme.

The proposed amendments remain consistent with the relevant planning policy framework. Under Policy EN8 of the Manchester Core Strategy (MCS), the development continues to integrate green infrastructure measures, including proposed tree and hedgerow planting on-site and the purchase of habitat credits off-site, to adapt to climate change and support biodiversity.

Policy EN9 of the MCS requires that any loss of green infrastructure is fully justified and mitigated. The need for tree removal is justified by practical construction requirements, and mitigation measures include the proposed green roof and tree planting within the site along with the purchase of off-site biodiversity credits.

Policy EN15 of the MCS emphasises the protection and enhancement of biodiversity, priority habitats, and existing trees. The proposed landscaping, alongside off-site BNG, provides habitat creation and ecological enhancement, supporting habitat connectivity and compliance with the Manchester Biodiversity Strategy and Greater Manchester Green Infrastructure Framework.

Finally, Policy JP-G8 of Places for Everyone (PfE) seeks net biodiversity gain and improved habitat quality, quantity, and connectivity. The combined on-site and off-site measures ensure that the development meets these objectives, protects ecological networks, and delivers long-term environmental benefits.

In weighing the balance of impacts, whilst the removal represents a minor loss of green infrastructure (two trees), this is fully mitigated through a combination of on-site landscaping and off-site measures. On-site proposals include tree planting to the north of the site, ornamental grasses and shrub planting, and new hedge planting, resulting in a gain of 0.02 hedgerow units. An updated Biodiversity Net Gain (BNG) assessment has been prepared which demonstrates that, whilst the proposal currently results in a loss in habitat units, these will be fully compensated off-site at a habitat bank. The details of the off-site mitigation will be confirmed as part of a Biodiversity Gain Plan which can be secured via condition, ensuring that the development achieves a net enhancement in accordance with national planning policy objectives.

In addition to the above, this S73 application is also supported by a Traffic Management Plan and Construction Method Statement demonstrating how traffic and the site will be managed during the construction phase in a safe and coordinated manner. The Traffic Management Plan illustrates the proposed vehicle offloading area, partial road closure on Corkland Road, pedestrian access arrangements, and crane storage area required to deliver the site safely. The Construction Method Statement sets out key measures



relating to construction traffic routes, deliveries, access, signage, lighting, highway protection, fire safety, and noise management. Full details of these measures are included in the submitted CMS and supporting documents.

Overall, the amendments proposed under this Section 73 application are necessary, justified, and appropriately mitigated. The proposed planting, hedgerow gain, and off-site BNG ensure that the approved development can be safely constructed while continuing to deliver sustainable, climate-resilient, and biodiversity-positive outcomes in accordance with local and national planning policies.

Proposed Wording of Condition 3 & 11

To reflect the minor amendment to the scheme, Condition 3 attached to 144423/FO/2025 is proposed to be amended as follows:

3) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings referenced 1105(PL)001 (Block and Location Plan), 1105 (PL)001 (Demolition Plan), 1105 (PL)101 (Proposed Ground and First Floor Plan), 1105 (PL)102 (Proposed Second Floor and Roof Plan), 1105 (PL)103 (Proposed Elevations 1 of 2), 1105 (PL)104 (Proposed Elevations 2 of 2) and 1105 (PL)105 (Proposed Street Scene), received by the City Council as Local Planning Authority on 3 November 2025 and 7620.02 rev A (Landscape Proposal) received on [insert date].

Reason - To ensure that the development is carried out in accordance with the approved plans. pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

Condition 11 attached to 144423/FO/2025 is proposed to be amended as follows:

11) The landscaping scheme shown on drawing 7620.02 Rev A (Landscape Proposal) shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy and policies JP-S1, JP-P1 and JP-H3 of the Places for Everyone Joint Development Plan.

Summary

The proposed amendments to application reference 144423/FO/2025 are considered to be modest and necessary to deliver the permission. The minor amendments are also considered to remain in accordance with the policy framework. We trust this letter provides sufficient information to register and progress this application. We appreciate the Council have an extensive workload therefore if you have any queries or need information to assist with the consideration of this application, please do not hesitate to contact us.



E D E N

Yours sincerely,



Alice Huxley MRTPI
SENIOR PLANNER

