AshtonHale

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

Submitted via Planning Portal (ref: PP-14727169)

27 February 2025

Dear Jen,

Section 96a Application for Non-Material Amendments to Planning Permission 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 96a of the Town and Country Planning Act (as amended) for non-material amendments to the approved design of the life science building permitted under planning permission ref: 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.*

The Proposed Amendments

This application proposes to amend the wording on Condition 9 of the approved application to amend the associated trigger point for the condition's discharge. This application seeks amendments to the wording of this condition (with the Applicant's suggested changes made in ***bold italics***) as set out below:

> *Prior to **any above ground works** ~~the commencement of a plot of the development (excluding demolition works),~~ all material to be used on all external elevations of the relevant plot of development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples (including a panel) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, window reveals and soffits, details of the drips to be used to prevent staining in, ventilation/air brick and a strategy for quality control management.*
>
> *The approved materials shall then be implemented as part of the relevant plot of the development.*

As currently worded, Condition 9 requires the submission and approval of external material details prior to the commencement of development of the Sci-Tech Building plot. Since permission was granted, the Applicant has progressed the detailed construction programme and procurement strategy. Through this process it has become clear that the existing trigger point is too early and creates practical and commercial challenges.

The proposed amendment is intended to ensure that materials can be procured in line with the construction timetable. The revised wording would amend the trigger point to a later stage in the programme, this will enable the Applicant to submit coordinated and deliverable material details.

The principle of this change has been discussed with Manchester City Council in advance of submission to explain the delivery rationale and to ensure there are no concerns. The amendment is procedural only and relates solely to the timing of the condition.

For clarity, no changes are proposed to how the approved development would operate. The amendment simply aligns the discharge of Condition 9 with technical design progression and material procurement, helping to ensure the efficient delivery of the approved scheme.

Assessment

Planning Practice Guidance[1] is clear that there is no statutory definition of "non-material" and it is dependent on the context of the overall scheme. The summary table at Annex A[2] states that the Local Planning Authority, when considering if the amendment is material, "must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted".

The amendments will not require the reassessment of any additional information or environmental impacts, therefore, as agreed, the "effect of the change" is not considered to be material and it is on this basis that AshtonHale have submitted this application as nonmaterial amendments to the current planning permission.

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,

Cait O'Dowd
Planner

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AshtonHale Ltd

[1] Paragraph: 002 Reference ID: 17a-002-20140306, Revision date: 06 03 2014

[2] Accessible via: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/864175/Annex_flexible_options.pdf