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30 April 2025

Planning Department
Manchester City Council
PO Box 532
Town Hall
Manchester
M60 2LA

FAO Jack Naven

Dear Jack

Union, T2, St John's - Non-Material Amendment Application to Planning Permission 132952/JO/2022

Please find enclosed an application for Non-Material Amendment ("NMA") under Section 96(a) of the Town and Country Planning Act 1990 (as amended) to Planning Permission Ref. 132952/JO/2022.

The Applicant is Union Living T2 Limited ("the Applicant"), a wholly owned subsidiary of Vita Group.

Background

On 16 November 2021, Planning Permission was originally granted for T2 Union at St John's in Manchester city centre (LPA Ref.: 126648/FO/2020). The description of development approved under application reference 126648/FO/2020 is as follows:

"Full Planning Permission for the erection of 36 storey plus basement level mixed use building comprising co-living units, amenity space and flexible commercial space (Sui Generis), co-work (Use Class B1), landscaping, access and other associated works."

This permission was amended by a Section 73 application in April 2023 (ref: 132952/JO/2022) that related to the introduction of the "Green Room"; an extended ground floor F&B offering that maximises the frontage along the River Irwell. This has been tailored

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to fit within the Union Vita Living concept, and the broader aspirations for St John's Enterprise City.

These amendments were approved on 14 April 2023 and now form the operative planning permission for the development. This application was further amended by Section 96a applications (ref: 138954/NMC/2024 and 142449/NMC/2025) to vary conditions attached to planning permission ref 132952/JO/2022.

This s.96a application focuses on amending Conditions 13, 15 and 21 in relation planning permission 132952/JO/2022, specifying their relationship with the commercial unit or reflecting the approved cycle parking spaces as set out below.

Proposed Amendments

The proposed amendments have been agreed in principle with the Local Planning Authority during pre-application discussions that took place in April 2025.

Condition 13 – Acoustics

The wording of Condition 13, as outlined in the decision notice for Planning Permission ref: 132952/JO/2022, as amended, is currently as follows:

> *a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences; any works approved shall be implemented before the use commences.*
>
> *b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria. Mixed use schemes shall ensure appropriate ventilation in the form of internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties. Alternative ventilation including carbon or water filters will be required if extraction is to be provided at the ground floor level.*

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Currently, Condition 13 does not specify that the condition wording relates to the commercial unit and is proposed to be amended to allow the residential units to be occupied in isolation:

a) *Commercial fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the commercial ground floor use commences; any works approved shall be implemented before the commercial ground floor use commences.*

b) *Prior to the operation of the commercial ground floor use, a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria. Mixed use schemes shall ensure appropriate ventilation in the form of internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties. Alternative ventilation including carbon or water filters will be required if extraction is to be provided at the ground floor level.*

The proposed amendment will ensure the timely occupation of the residential units of the scheme prior to the commercial unit being occupied in accordance with relevant planning conditions.

Condition 15 – Entertainment Noise

The wording of Condition 15, as outlined in the decision notice for Planning Permission ref: 132952/JO/2022, is currently:

a) *Before the flexible commercial space hereby approved commences, the premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the development and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority. Where entertainment noise is proposed the LAeq (entertainment noise) should be controlled to 10dB below the LA90 (without entertainment noise) at the*

facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63HZ and 125Hz octave frequency bands should be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively."

b) *Prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.*

Currently, Condition 15 does not specify that the condition wording relates to the commercial unit and is proposed to be amended to allow the residential units to be occupied in isolation:

a) *Before the flexible commercial space hereby approved commences, the premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the development and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority. Where entertainment noise is proposed the LAeq (entertainment noise) should be controlled to 10dB below the LA90 (without entertainment noise) at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63HZ and 125Hz octave frequency bands should be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.*

b) *Prior to occupation of the flexible commercial space hereby approved, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.*

The proposed amendment will ensure the timely occupation of the residential units of the scheme prior to the commercial unit being occupied in accordance with relevant planning conditions.

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Condition 26 – Cycle Parking

The wording of Condition 26, as outlined in the decision notice for Planning Permission ref: 132952/JO/2022, is currently:

"No part of the development shall be occupied until cycle parking spaces for 412 bicycles has been provided within the basement of the building, in accordance with the approved plans. These facilities shall then be retained and permanently reserved for bicycle parking."

As part of 132952/JO/2022, amendments were sought to the approved Transport Statement, Travel Plan and basement layout, alongside other changes to the building. This reduced the number of cycle parking spaces to 336, rather than 412 as stipulated in Condition 26.

Condition 26 should have therefore been amended as part of 132952/JO/2022 to reflect this, and to regularise the permission this application therefore proposes Condition 26 is amended to read:

No part of the development shall be occupied until cycle parking spaces for 336 bicycles has been provided within the basement of the building, in accordance with the approved plans. These facilities shall then be retained and permanently reserved for bicycle parking

The proposed amendment will ensure that the approved documents and plans in Condition 2 are reflected in the condition wording of Condition 26.

Application Summary

The amendments proposed in this application will result in a development that is physically unchanged from the approved development currently under construction (ref: 132952/JO/2022). The amendments have been agreed with the Planning Authority as being non-material to the original permission.

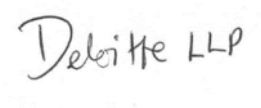
The development therefore remains wholly compliant with the national and local policies and there are no material considerations which could justify refusal of the application. We therefore respectfully request that this application be supported by the Local Planning Authority.

The application is submitted through Planning Portal (PP-13983781). Payment has been sent via Planning Portal for the sum of £383 (including service fee of £85) in respect of the application fee.

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We would be grateful if you could notify us of the validation of the Application and please do not hesitate to contact my colleague Michael Percival (mipercival@deloitte.co.uk/ 01614556672).

Yours sincerely



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