MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	142861/NMC/2025
Date registered valid:	2 May 2025
Proposal:	Non-material amendment to amend the wordings of Conditions 13 (fumes) and 15 (commercial noise) to refer specifically to the ground floor commercial unit and to amend condition 26 (cycle parking) to reflect the correct number of cycle parking spaces required, attached to Planning Permission 132952/JO/2022 (as amended by 138954/NMC/2024 and 142449/NMC/2025).
Address:	Union T2 , Water Street, Manchester, M3 4JQ
Ward(s):	Deansgate Ward
Applicant:	N/A Union Living 2 Limited
Agent (if any):	Michael Percival Deloitte LLP
Case officer:	Jack Naven Tel: 0161 219 2095 Email: jack.naven@manchester.gov.uk
Recommendation:	Approved
Date of recommendation:	**09 May 2025**

Application Details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: Not applicable

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
No neighbour notifications have been printed and sent.

Site notice
No site notice has been produced

Press advert
No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of Site/Area

Listed building: Not applicable

Conservation area: Castlefield Conservation Area 1979

Tree Preservation Order:

The application site, known as T2, is 0.67 ha and bounded by the River Irwell, a canal basin arm to the north, with the Grade II Victoria and Albert Hotel beyond, Water Street to the east and Princes Bridge to the South. Access is gained from Water Street.

The building is a 36 storey plus basement level mixed use building comprising co-living units, amenity space and flexible commercial space (Sui Generis), and co-working uses (Use Class B1).

The site is within the Castlefield Conservation Area and is part of a Masterplan and Strategic Regeneration Framework for St John's It does not contain any listed structures. Spinningfields is immediately to the north and Castlefield to the south. Beyond St John is to the east is Deansgate. There are offices and hotels on the opposite side of the river in Salford where a number of mixed-use regeneration initiatives are underway.

Description of Development

The proposal seeks an non-material amendment to amend the wordings of Conditions 13 (fumes) and 15 (commercial noise) to refer specifically to the ground floor commercial unit and to amend condition 26 (cycle parking) to reflect the correct number of cycle parking spaces required, attached to Planning Permission 132952/JO/2022 (as amended by 138954/NMC/2024 and 142449/NMC/2025).

Related Applications

126648/FO/2020 - 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.
Approved November 2021.

132952/JO/2022 - Variation of Condition 2 (Approved Drawings and Documents, including amendments to design details of ground floor to provide for food and drink use), Condition 5 (Soft Landscaping) and Condition 8 (CMP) attached to Planning Permission ref: 126648/FO/2020.
Approved April 2023.

138954/NMC/2024 - Non-Material Amendment to planning permission 132952/JO/2022 to vary Condition 2 (Approved Drawings and Documents) consisting of alterations to ground floor elevations and materials.
Approved February 2024.

142449/NMC/2025 - Non-material amendment to amend conditions 17 (External Plant) and 39 (BREEAM) attached to planning permission 132952/JO/2022.
Approved March 2025.

Consultations & Notification Responses

No consultations were required.

Issues

The proposals are considered to be of a non-material nature. All three proposed amendments make minor adjustments to the wording of the conditions to either correct irregularities or provide further clarification that will ensure that the residential section of the development can be occupied.

The proposed amended wording will maintain the intentions of Condition 13, which is supposed to relate to the commercial unit. The conditions across the original application are split into commercial and residential sections. The change in wording of this condition will simply amend this.

Similarly, part a of condition 15 specifically refers to the commercial unit, but part b of this condition does not. This amendment will simply make sure that the wording between parts a and b will match up.

Condition 26 ensures that the required cycle parking will be provided for the development before occupation. The wording simply corrects the number of cycle spaces required by this condition from 412 to 336.

This change is cycle parking numbers was amended as a part of 132952/JO/2022, the updated cycle parking numbers were confirmed in the approved basement layout drawing and Transport Statement as a part of this permission. The cycle parking numbers have also been approved in the discharge of condition 27 (Travel Plan) under application CDN/24/0960 to discharge conditions.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approved

Condition(s) to be attached to decision for approval

1) The proposal seeks to amend Planning Permission 132952/JO/2022, as amended by 138954/NMC/2024 and 142449/NMC/2025, by amending Conditions 13 (Fumes) and 15 (Commercial noise) to refer specifically to the ground floor commercial unit in both parts of the condition, and to amended condition 26 (Cycle parking) to reflect the correct number of cycle parking spaces required.

2) Following an assessment of the details submitted, I can confirm that the proposed amendment is considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority.

The proposed amended wording will maintain the intentions of Condition 13, which is supposed to relate to the commercial unit. The conditions across the original application are split into commercial and residential. The change in wording of will amend this.

The proposed amended wording will maintain the intentions of Condition 15, which relates to the commercial unit. Part a of the condition wording specifies 'before the flexible commercial space'. The wording simply corrects part b to reflect that it relates to the flexible commercial space.

The proposed amended wording will maintain the intentions of Condition 26 as it ensures that the required cycle parking will be provided for the development before occupation. The wording simply corrects the number of cycle spaces required by this condition from 412 to 336. This change is cycle parking numbers was amended as a part of 132952/JO/2022 and the updated cycle parking numbers were confirmed in the approved basement layout drawing and Transport Statement. The cycle parking numbers have also been approved in the discharge of condition 27 (Travel Plan) under application CDN/24/0960 to discharge conditions. MCC's Highway Services team have signed off on all these previously

13) 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.

Reason - In the interests of the amenities of occupiers of nearby properties, pursuant to Core Strategy Policy DM1

15) a) Before the flexible commercial space hereby approved commences, the premises shall be acoustically insulated and treated to limit the breakout 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.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

26) 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.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to transport mode, pursuant to policy T1 and policy DM1 of the City of Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

None required.

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Castlefield Conservation Area 1979
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: CENTRAL