



Planning

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Michael Percival
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Date: 28 March 2025

Dear Sir/Madam,

Application under Section 96a of the Town & Country Planning Act 1990 (as amended) for a Non-Material change to a planning permission

Application No: 142449/NMC/2025

Description: Non-material amendment to amend conditions 17 (External Plant) and 39 (BREEAM) attached to planning permission 132952/JO/2022.

Location: Union T2 , Water Street, Manchester, M3 4JQ

I refer to your application for a non-material amendment to planning permission reference 132952/JO/2022.

The proposal seeks to alter condition 17 (External Plant). Currently, both parts a and b of condition 17 cover both the residential and commercial spaces and so the external plant information for both residential and commercial must be discharged before the entire overall scheme can be operational. As an occupier for the commercial unit has not been found yet, sufficient detail cannot be provided at this time in order to discharge any external plant elements related to the commercial unit. Therefore, in order to be able to install the external plant required for the residential element, particular the emergency plant, it is proposed to split up the condition from two parts into four parts, with residential and commercial external plant to be signed off separately.

The proposal also seeks to alter the trigger point of condition 39 (BREEAM) to allow for the occupation of the development prior to the submission of a post construction review certificate. Such a certificate will still be required to be submitted but within six months of the first occupation of the development. The reason for this is due to the six-month backlog of BREEAM inspections that need to be carried out. The original wording of this condition would hold up occupation of the site until this was carried out.

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 17 in ensuring that any external plant throughout the development will secure a reduction in the level of noise emanating from the site, and that this will be verified post-installation. The amendment simply looks to divide the condition into residential and commercial sections, so that the residential section of the development can proceed. The wording of the original

condition meant that both residential and commercial had to be signed off together and it was impossible to sign off the commercial external plant before an occupier has been found for this unit. Under the original wording of the condition, the emergency plant for the residential aspect of the development would not have been able to be installed until the commercial external plant elements were signed off.

The proposed amended wording will maintain the intentions of Condition 39 in securing a BREEAM rating of 'Very Good', it simply looks to amend the timelines as to when the post construction review certificate will be submitted to the City Council, and therefore the City Council is satisfied that the proposed changes will not result in any significant material alterations to the planning approval.

Therefore I can confirm that the proposed amendments are hereby **approved**.

It should be noted that this letter of consent does not supersede the decision notice attached to planning permission 132952/JO/2022. These documents should be read in conjunction with one another. Therefore, the conditions previously applied to approval 132952/JO/2022 still apply to this development. However, due to the acceptance of the amendments outlined above, the following amended conditions also now apply:

17) a) Externally mounted ancillary plant, equipment and servicing in relation to the residential aspect of the scheme shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to installation, the scheme shall be submitted to and approved in writing by the City Council as Local Planning Authority in order to secure a reduction in the level of noise emanating from the site. External plant shall not be brought into use until an emergency plant noise testing schedule has been submitted to, and approved in writing by, the City Council as Local Planning Authority.

b) Externally mounted ancillary plant, equipment and servicing in relation to the commercial aspect of the scheme shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to installation, the scheme shall be submitted to and approved in writing by the City Council as Local Planning Authority, in order to secure a reduction in the level of noise emanating from the site. External plant shall not be brought into use until an emergency plant noise testing schedule has been submitted to, and approved in writing by, the City Council as Local Planning Authority.

c) Prior to the operation of the residential aspect 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.

d) Prior to the operation of the commercial aspect 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.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

39) The co-work element of the development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least a 'very good' rating. Post construction review certificate(s) shall be submitted to and approved in writing by the City Council as Local Planning Authority within six months of the first occupation of the development.

Reason: In order to minimise the environmental impact of the development pursuant to policies SP1, DM1 and EN8 of the Core Strategy for the City of Manchester.

Should you wish to discuss the matter further, please contact Jack Naven using the details above.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written in a cursive style.

Julie Roscoe
Director of Planning, Building Control & Licensing