

25 March 2025

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

FAO Angela Leckie

Dear Angela,

**Vita Living North (Plots 5 & 6), Circle Square
Application for Non-Material Amendment to Planning Permission Reference 137232/FU/2023**

On behalf of our client, Manchester Charles Street Residential Scottish LP (the “Applicant”), we hereby submit an application under Section 96a of the Town and Country Planning Act 1990 (as amended) to make a Non-Material Amendment (“NMA”) Application to Plots 5 and 6 Circle Square (“Vita Living North”) (Planning Permission ref: 137232/FU/2023) (this “Application”).

1 Background

Planning Permission ref: 116450/FO/2017 for Vita Living North was granted on 12th September 2017 (the “Original Permission”). The description of development, as written on the decision notice, is as follows:

“Resubmission of application ref no 111026 (as amended by 116413/NMC/2017) (Blocks 5 and 6) to incorporate amendments comprising additional floor of accommodation (now 37 storeys but overall height of tower element reduced 0.5m) and changes to number (6 additional) and mix of apartments.

Original consent for Erection of part 17, part 36 storey building to comprise 411 residential apartments (Class C3) (14 studios, 136 x 1 bed, 228 x 2 bed and 33 x 3 bed) with mid and top roof level private dining / media room / gardens, ground and mezzanine floor residential amenity uses and lower ground, ground and mezzanine level commercial uses (Class A1 (shop), A2 (Financial and Professional Services), A3 (Restaurant and Cafe), A4 (Drinking Establishment), B1 (Offices), and D1 (Non-residential Institutions Creche only) and associated junction improvements to Oxford Road / Charles Street, access, servicing, and landscaping).”

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Subsequently, a drop-in Full Planning Permission (Ref: 137232/FU/2023) was granted on 20th October 2023 for the change of use to mezzanine level of retail unit T1 and T5 of Vita Living North from commercial use (Use Class E) to ancillary residential amenity areas (Use Class C3) (the “COU Permission”).

Under the COU Permission Ref: 137232/FU/2023:

- Mezzanine level of retail unit T5 was remodelled and re-fitted to form open workspace for residents with the inclusion of a “creator room”.
- A section of the mezzanine level of retail unit T1 was remodelled and integrated into the existing residents’ gym as a gym studio.

The description of development, as written on the decision notice of the COU Permission Ref: 137232/FU/2023, is as follows:

“Change of Use to mezzanine level of retail units T1 and T5 of Vita Living North (Circle Square Plots 5 & 6) from commercial (class E) to ancillary residential amenity areas (class C3).”

For clarity, this Application is submitted in pursuant to the COU Permission (Ref: 137232/FU/2023) which has not yet been implemented.

2 Context

The Proposed Amendments subject to this Application, are summarised as follows and are discussed below in further detail:

- Layout changes to revert the use of the mezzanine space of retail unit T1 back into commercial use (Use Class E), including removal of previously approved gym studio.
- Associated amendments to the wording of conditions 2 (Approved Drawings), 6 (Acoustics) and 7 (Waste Management).
- Removal of conditions 3 (Gym Studio Use), 4 (Free Weight Restriction – Gym Studio), 5 (Gym Studio Management) – to reflect removal of gym studio.

The previously proposed gym studio is no longer required. Since the COU permission was approved the Applicant has proactively responded to residents’ feedback on the amenity offering. This has included the introduction of additional and new gym equipment and an improved gym class offering.

In addition, the Applicant has successfully secured an occupier for retail unit T1. As set out in the COU permission, there were previously challenges in letting this space. The letting of the retail unit will support the overarching commercial strategy for Circle Square, and aligns with the commercial

floorspace proposed as part of the original Permission, whilst supporting the overall vibrancy of offer for residents, workers and visitors to Circle Square.

3 Proposed Amendments

3.1 Mezzanine GA Amendment

As aforementioned, this Application aims to revert the use of the mezzanine space of retail unit T1 back into commercial use (Use Class E), as per the Original Permission Ref: 116450/FO/2017.

More specifically, this Application would result in the removal of the approved gym studio (under the COU Permission 137232/FU/2023), whilst reverting the space back to be under retail unit T1's demise.

Figure 1 and Figure 2 below illustrate the approved mezzanine general arrangement under the COU Permission 137232/FU/2023 and the proposed mezzanine general arrangement under this Application respectively. The main area of change is encircled in red for ease of reference.

Figure 2 Approved Mezzanine GA (Approved under COU Permission 137232/FU/2023)

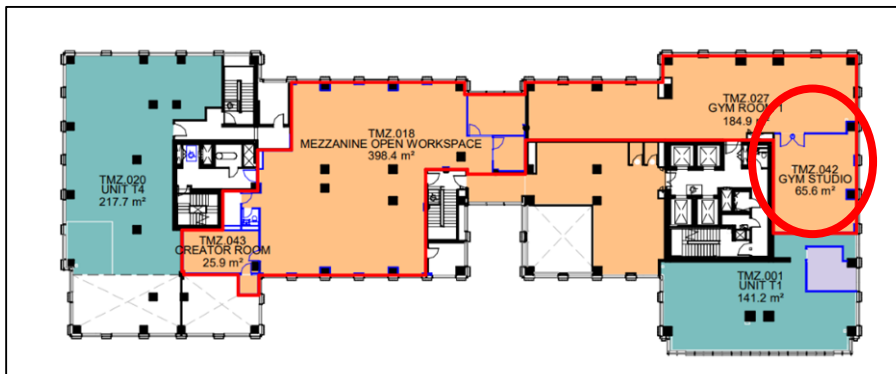
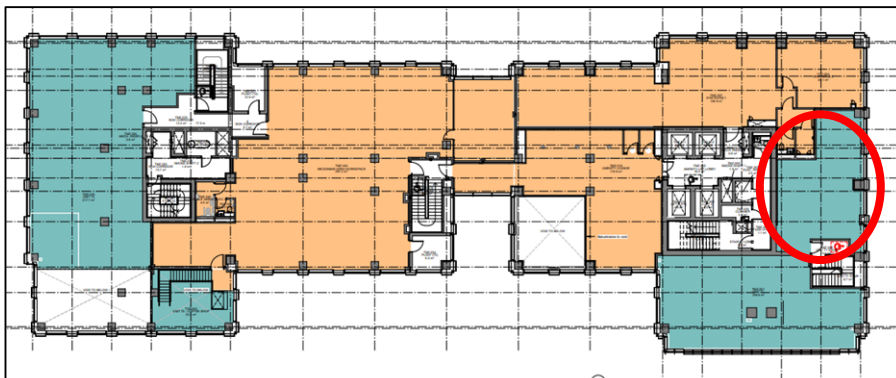


Figure 2 Proposed Mezzanine GA



3.2 Update to Condition Wordings

Owing to the Proposed Amendments, and its associated removal of the gym studio (approved under the COU Permission Ref: 137232/FU/2023).

It is requested that the wording of conditions 2 (Approved Drawings), 6 (Acoustics) and 7 (Waste Management) attached to the COU Permission Ref: 137232/FU/2023 be updated in order to facilitate the Proposed Amendments detailed within this Letter, and conditions 3 (Gym Studio Use), 4 (Free Weight Restriction – Gym Studio), 5 (Gym Studio Management) attached to the COU Permission Ref: 137232/FU/2023 be removed to reflect the removal of the gym studio.

A full schedule of proposed condition wordings is enclosed within this Covering Letter at Appendix A.

4 Acoustics and Waste Management Considerations

4.1 Supporting Statement from Fisher Acoustics – Acoustics

Fisher Acoustics has reviewed the scope of this NMA Application, and confirms that the proposed amendments the Acoustics Technical Note dated 24th May 2023 remains valid except where “gym” or “gym studio” were referenced within sections “Activity Noise Egress” and “Internal Noise Transfer”, as these relate to the gym studio proposed to be removed.

Fisher Acoustics has also confirmed that the Acoustics Technical Note Addendum dated 21st August 2023, is no longer applicable as it relates entirely to the gym studio.

4.2 Supporting Statement from SLR Consulting – Waste

SLR Consulting has reviewed the scope of this NMA Application, and confirms that the proposed amendments do not substantially deviate from the approved waste strategy (including associated waste volumes,) under the original Vita Living North Permission (Ref: 116450/FO/2017). For completeness, no updated Waste and Servicing Strategy, nor Addendum or Technical Note was submitted as part of the COU Permission Ref: 137232/FU/2023.

For completeness, it should be noted that:

- The overall commercial unit floorspace as amended by this NMA Application, remains lower than the commercial unit floorspace assessed and approved under the original Vita Living North Permission (Ref: 116450/FO/2017).
- The expected waste volume as a result of this Application, will remain fully within the parameter set out by the approved Waste and Servicing Strategy dated May 2017 (approved under the original Vita Living North Permission (Ref: 116450/FO/2017), which was submitted.
- There is sufficient waste storage capacity within the Vita Living North scheme.

Therefore, SLR Consulting confirms the approved Waste and Servicing Strategy dated May 2017 (approved by the original 2017 Permission 116450/FO/2017) remains valid.

5 Pre-Application Consultation

Pre-application consultation has taken place on 20th February 2025 with Ms. Angela Leckie – Principal Planning Officer and Mr. Jack Naven – Planning Officer at Manchester City Council, through virtual meeting and subsequent email correspondences dated 5th March 2025 for agreement on scope and form of this Application.

6 Planning Policy and Guidance

Full consideration of the consented scheme against the planning policy framework is considered within the Covering Letter prepared by Deloitte, approved by the COU Permission (Ref: 137232/FU/2023).

The Proposed Amendments under this Application do not affect the previous assessment of the proposals approved under the COU Permission Ref: 137232/FU/2023. The approved building footprints and parameters under the Planning Permission Ref: 137232/FU/2023 remain unchanged.

For completeness, the Local Development Plan comprises:

- Places for Everyone Plan (2024).
- Manchester Core Strategy (2012) and Addendum to Manchester Core Strategy (2024).
- Saved Policies of the 2006 Manchester Unitary Development Plan.

The relevant Local Development Plan has changed in part since the granting of the COU Permission with the addition of the Places for Everyone Plan (2024) and the Addendum to the Manchester Core Strategy (2024).

The National Planning Policy Framework (NPPF) forms a Material Consideration in the determination of this Application and was updated in December 2024 (with minor updates introduced in February 2025).

For completeness, an assessment of the relevant additional requirements set by the Places for Everyone Plan (2024) has been outlined below:

Strategy: Policy JP-Strat2 supports the important role the City Centre plays in supporting residential development. As such, the consented Vita Living North scheme is compliant with the policy requirement as it is bringing forward much needed, high quality residential accommodation in the City Centre.

Housing: Policy JP-J1 emphasises that in order to achieve a thriving, inclusive, and productive economy, high quality and sustainable living environments should be provided to attract and retain skilled workers. Policy JP-H4 notes that new housing developments must be delivered at a density appropriate to the location and reflect relative accessibility by sustainable mode of transportation. The consented Vita Living North scheme comprises high quality residential accommodation in Manchester City Centre. The density of the consented Vita Living North scheme has been established as part of the Original Permission (Ref: 116450/FO/2017) and deemed appropriate.

The Proposed Amendments have been reviewed in the context of the updates to relevant planning policy and material considerations and it is concluded that there have been no changes which would affect the consideration of this Application.

7 Summary

The Proposed Amendments under this Application will not materially change the consented scheme approved under the COU Permission Ref: 137232/FU/2023. The approach to this Application has been agreed in-principle with the Local Planning Authority and in advance of application submission.

8 Application Submission

In addition to this Cover Letter, the application includes the following documents:

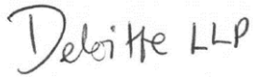
- Application Form;
- Waste and Servicing Strategy prepared by SLR Consulting (approved under the Original Permission for Vita Living North Ref: 116450/FO/2017); and,
- GA Plan – Mezzanine Proposed (Ref: CSAR-FCBS-ZT-MZ-DR-A-1102-P02) prepared by Feilden Clegg Bradley Studios.

Payment of the planning application fee in the sum of £293, in addition to the prerequisite Planning Portal administrative fee, has been made directly to Manchester City Council under Planning Portal Reference PP-13810950.

On the basis of the information submitted, we seek your agreement the Proposed Amendments are acceptable.

We would be grateful if you could notify us of validation of the Application and please do not hesitate to contact Jemma Brabrook (jbrabrook@deloitte.co.uk / 0161 455 6903) or Matthew Lam (mlam@deloitte.co.uk / 0161 455 8448).

Kind regards

A handwritten signature in black ink that reads "Deloitte LLP". The signature is written in a cursive, flowing style.

For Deloitte LLP

Encl.

Appendix A – Proposed Condition Wordings

Appendix A – Proposed Condition Wordings

In order to formalise the Proposed Amendments aforementioned, we propose to amend the wording of conditions 2, 6, and 7 and remove conditions 3, 4, and 5 as outlined in Table 1 below.

Table 1 Proposed Condition Wordings

#	Approved Condition Wording attached to 137232/FU/2023	Proposed Condition Wording (amendment marked out in green)	Rationale
2.	The development hereby approved shall be carried out in accordance with the following drawings and documents: - CSAR-FCBS-XX-XX-DR-A-1000 Rev P01: Site Location Plan (Received 16/06/2023) - CSAR-FCBS-ZT-MZ-DR-A-1101 Rev P01: GA Plan - Mezzanine - Strip Out (Received 16/06/2023) - CSAR-FCBS-ZT-MZ-DR-A-1102 Rev P01: GA Plan - Mezzanine Proposed (Received 16/06/2023)	The development hereby approved shall be carried out in accordance with the following drawings and documents: - CSAR-FCBS-XX-XX-DR-A-1000 Rev P01: Site Location Plan (Received 16/06/2023) - CSAR-FCBS-ZT-MZ-DR-A-1101 Rev P01: GA Plan - Mezzanine - Strip Out (Received 16/06/2023) - CSAR-FCBS-ZT-MZ-DR-A-1102 Rev ~~P01~~P02: GA Plan - Mezzanine Proposed (Received [MCC to insert date])	To reflect updated GA of mezzanine floor.
3.	The studio gym room hereby approved shall be wholly ancillary to the residential accommodation on site and shall not be open to the public for use at any time for the lifetime of the development.	~~The studio gym room hereby approved shall be wholly ancillary to the residential accommodation on site and shall not be open to the public for use at any time for the lifetime of the development.~~	Condition removed on basis studio gym room is removed from the scheme.
4.	No free weights shall be used within the studio gym room hereby approved for the lifetime of the development.	~~No free weights shall be used within the studio gym room hereby approved for the lifetime of the development.~~	Condition removed on basis studio gym room is removed from the scheme.

#	Approved Condition Wording attached to 137232/FU/2023	Proposed Condition Wording (amendment marked out in green)	Rationale
5.	Prior to the first use of the studio gym room hereby approved, a management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented upon the first use of the development and then be adhered to for the lifetime of the development. The management plan shall include a system for the processing of noise complaints from local residents if received.	~~Prior to the first use of the studio gym room hereby approved, a management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented upon the first use of the development and then be adhered to for the lifetime of the development. The management plan shall include a system for the processing of noise complaints from local residents if received.~~	Condition removed on basis studio gym room is removed from the scheme.
6.	a. The development hereby approved shall proceed in accordance with the submitted Technical Acoustic Note (Prepared by Fisher Acoustics; Dated 24/05/2023; Received 16/06/2023) and subsequent addendum note (Prepared by Fisher Acoustics; Dated 21/08/2023; Received 22/08/2023). The proposed noise mitigation measures shall be installed prior to the first use of the development hereby approved and shall be retained for the lifetime of the development. b. Prior to the first use of the development hereby approved, a verification report to validate that the work undertaken throughout the development conforms to the recommendations and	a. The development hereby approved shall proceed in accordance with the submitted Technical Acoustic Note (Prepared by Fisher Acoustics; Dated 24/05/2023; Received 16/06/2023) and Covering Letter (Prepared by Deloitte; Dated 25 March 2025; Received [MCC to insert date]). and subsequent addendum note (Prepared by Fisher Acoustics; Dated 21/08/2023; Received 22/08/2023). The proposed noise mitigation measures shall be installed prior to the first use of the development hereby approved and shall be retained for the lifetime of the development. b. —Prior to the first use of the development hereby	The subsequent addendum note (Prepared by Fisher Acoustics; Dated 21/08/2023; Received 22/08/2023) is removed as it focuses entirely on the gym studio room – which is now removed from the scheme. Reference to Covering Letter prepared by Deloitte (submitted under this Application) to confirm relevant sections of the Technical Acoustic Note (Prepared by Fisher Acoustics; Dated 24/05/2023;

#	Approved Condition Wording attached to 137232/FU/2023	Proposed Condition Wording (amendment marked out in green)	Rationale
	requirements listed in the approved Technical Acoustic Note and subsequent Addendum Note shall be submitted to and approved in writing by the Local Planning Authority. 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.	<i>approved, a verification report to validate that the work undertaken throughout the development conforms to the recommendations and requirements listed in the approved Technical Acoustic Note and subsequent Addendum Note shall be submitted to and approved in writing by the Local Planning Authority. The report shall also undertake post completion testing to confirm 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.</i>	Received 16/06/2023) remain valid. Condition 6b (acoustics verification) is proposed to be removed as the noise generating use (gym studio room) is now removed from the scheme. Therefore the requirement for acoustics verification is proposed to be removed.
7.	The development shall proceed in accordance with the submitted Waste Management Review Letter (Prepared by SLR Consulting; Dated 26/05/2023; Received 16/06/2023) and shall be implemented upon the first use of the development and adhered to for the lifetime of the development.	The development shall proceed in accordance with the <i>submitted Waste Management Review Letter (Prepared by SLR Consulting; Dated 26/05/2023; Received 16/06/2023) approved Waste and Servicing Strategy (Prepared by SLR Consulting; Dated May 2017; Received 25 May 2017 under Planning Permission Ref: 116450/FO/2017) and Covering Letter (Prepared by Deloitte; Dated 25 March 2025; Received [MCC to insert date])</i> and shall be implemented upon the first use of the development and adhered to for the lifetime of the development.	The Waste Management Review Letter (Prepared by SLR Consulting; Dated 26/05/2023; Received 16/06/2023) is removed as it is only of relevance to the scope of the COU Permission Ref: 137232/FU/2023 Reference to Covering Letter prepared by Deloitte (submitted under this Application) to confirm validity of approved Waste and Servicing Strategy (Prepared by SLR Consulting; Dated May

#	Approved Condition Wording attached to 137232/FU/2023	Proposed Condition Wording (amendment marked out in green)	Rationale
			2017; Received 25 May 2017 under Planning Permission Ref: 116450/FO/2017).