

8 June 2023

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, Manchester

Application for Change of Use

Please find enclosed an application ("this Application") for change of use to retail units T1 and T5 within Circle Square Plots 5 & 6 ("Vita Living North" from commercial units (Use Class E) to residents' amenity areas (Use Class F2) of the Circle Square Masterplan, ("the Proposed Development").

The Applicant is Manchester Charles Street Residential Scottish LP ("the Applicant").

Description of Development

The proposed Description of Development is:

"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 residents' amenity areas (class F2)."

Background

Planning Permission (ref: 116450/FO/2017) for Vita Living North was granted on 12th September 2017. 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), D1 (Non-residential Institutions Creche only) and D2 (Assembly and Leisure - Gym only)) and associated junction improvements to Oxford Road / Charles Street, access, servicing, and landscaping)."

The Site

Vita Living North bound by Charles Street to the north; Vita Student Circle Square to the east (approved on 9th March 2017 with planning permission ref: 114863/FO/2016); Symphony Park to the south; and Oxford Road to the west ("Plots 5 & 6").

The Site subject to this Application (the "Site") is however of a much smaller scale, and it does not go beyond the existing building fabric on Vita Living North, Circle Square (Plots 5 & 6), spanning 625.8 square metres.

Pre-application Consultation

Pre-application consultation has taken place on 21st March 2023 with Angela Leckie, Principal Planning Officer at Manchester City Council, through virtual meeting and subsequent email and telephone correspondence to seek agreement on the scope and form of this Application.

Proposed Development

This change of use application is submitted for the remodelling of the internal layout and expansion of residents' amenity area within the mezzanine level of Vita Living North to replace existing vacant commercial space.

Currently, amenity space offering within Vita Living North includes an entrance lounge, residents' lounges, workspaces, meeting rooms, gym, and a private dining room spread across the ground level, mezzanine level, 15th floor, and 35th floor. The building and its interior layout were designed prior to the Covid-19 pandemic, and the Applicant has been monitoring closely how the residents' amenity spaces are used since the building was first occupied.

As hybrid working models gained momentum nationally, the Applicant has noticed an increasing needs to provide more high quality workspaces in Vita Living North – which are now dispersed across different floors and inter-mingled with lounges, resulting in a less-than-optimum working environment. The rise of the hybrid working model has also paved the way for increasing demand for gym and studio spaces on-site.

In order to address the aforementioned shifts in living and working patterns, the Applicant is proposing to increase the provision of workspaces and well-being elements – gym and studio spaces within Vita Living North. To achieve this, re-modelling of the mezzanine level of retail units T1 and T5 is required:

- The mezzanine level of retail unit T5 will be 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 will be remodelled and integrated into the existing residents' gym as a gym studio.

For details, please refer to drawing: GA Plan – Mezzanine Proposed (reference: CSAR-FCBS-ZT-MZ-DR-A-1102-P01) submitted with this Application.

As established above there is a significant driver to provide an increased amount and improved amenity floorspace space. The proposed change of use is also driven by the Applicant's difficulty in securing occupiers to let the existing mezzanine commercial floorspace. The difficulty in letting out retail units T1 and T5 is evidenced in the Commercial / Retail Market Commentary, prepared by Vita (with input from real estate agencies LTL Property and Graham+Sibbald). The Proposed Development seeks to ensure that the revised layout and floorspace for these retail units (T1 and T5) will be let, in line with the building's commercial retail strategy, and support the increased demand for more high quality residential amenity space.

As demonstrated by the market commentary both retail units have received interest, on the basis of the Proposed Development, demonstrating that the reduction / loss of the mezzanine floorspace makes these units easier lets. The future occupation of these retail units will support activity and vibrancy within Circle Square and promote active frontages along a key route to the south of the building, which leads into Symphony Park. It should be noted that all components of the Proposed Development will sit within the internal area of Vita Living North, Circle Square (Plots 5 & 6), no works are being proposed in the external elevations.

Details on the justification, proposed layout, and materiality of the Proposed Development can be found in the Design and Access Statement produced by Feilden Clegg Bradley Studios submitted in support of this Application.

Planning Policy Framework

The key Development Plan documents relevant to the proposals are the 2012 Manchester Core Strategy and Saved Policies of the 2006 Manchester Unitary Development Plan (UDP).

The National Planning Policy Framework forms a Material Consideration in the determination of this Application. Notably, the revised National Planning Policy Framework which was published on 24 July 2018 was updated on 20 July 2021.

At the heart of the NPPF is a presumption in favour of sustainable development, the applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Former BBC Site, Oxford Road Strategic Regeneration Framework ('the SRF') also forms a Material Consideration in the determination of this Application.

The Proposed Development will contribute to the success of Circle Square, a scheme which is supported by planning policy objectives at national and local levels. Approval of the Proposed Development would therefore support economic and regeneration benefits associated with the proposals.

Relevant Planning Policies and Material Considerations

Document	Policy
Manchester Core Strategy (2012)	CC7 – Mixed Use Development CC10 – A Place for Everyone DM1 – Development Management EN1 – Design Principles and Strategic Character Areas
Former BBC Site Strategic Regeneration Framework (SRF), endorsed by MCC Executive Committee on 24 July 2013 Planning Framework, Former BBC Site, Oxford Road, Report to the Executive Committee, endorsed on 14 April 2015 Former BBC Site - Delivery Strategy and Phasing Plan, Report to Executive Committee endorsed on 29 July 2015	

Planning Policy Assessment

General Justification

The SRF promotes active frontages, preferably with ground floor commercial use and should aim to improve permeability and accessibility and provide visual interest for pedestrians.

The SRF also stresses on the need to ensure provision of a convenience offer of a range of amenities to satisfy the needs of the surrounding and new resident population. The SRF suggests potential ground floor uses could include retail and leisure uses such as restaurants and cafes. It is also emphasised that the active ground floor uses should be linked with targeted towards creating a sense of place and a distinctive offer that is appealing to target occupiers.

Core Strategy Policy CC7 – Mixed Use Development outlines “*Active ground floor uses (shops, food and drink and leisure) will be appropriate in locations which have an established public function, or as part of a development which will create such an environment*”. The Proposed Development will promote active ground floor uses within Circle Square, which will enliven the public realm, promote the sense of place and improve security. The proposed change of use will facilitate and support this through the occupation of the retail units (T1 and T5) of Vita Living North, whereby improving the attractiveness of these units for future occupiers. The proposed change of use is therefore considered to be in line with Policy CC7.

The proposed residential amenity floorspace will provide active space, which will complement the existing active frontage from the retained commercial floorspace. Active frontages will therefore be retained along a key route to the south of the building, which leads into Symphony Park. The Applicant has taken consideration of this and furniture on the mezzanine level will be positioned facing out onto the key route leading to Symphony Park, and no films will be applied onto windows to maintain the level of passive

surveillance. The proposed change of use for commercial to residential amenity floorspace will have servicing of a similar function to the current commercial use.

A suite of supporting documents is commissioned by the Applicant and submitted as part of this Application. Care and consideration have been taken into the design of the Proposed Development, and the Proposed Development will bring forward beneficial effects to the residents of Vita Living North and, indirectly, to the wider community by facilitating letting and activation of the remaining commercial space.

Design

Core Strategy Policy EN1 – Design Principles and Strategic Character Areas stresses that *“All development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance”*:

- Character: a place with its own identity;
- Continuity and enclosure: a place where public and private places are clearly distinguished;
- Quality of the public realm: a place with attractive, and successful outdoor areas;
- Ease of movement: a place that is easy to get to and move through;
- Legibility: a place that has a clear image and is easy to understand;
- Adaptability: a place that can change easily; and,
- Diversity: a place with variety and choice.

Policy EN1 emphasises the importance of high-quality public realm and the creation of attractive, successful outdoor areas. The Proposed Development indirectly contributes to active ground floor use within the public realm of Circle Square which could promote the sense of place and improve security.

The SRF elaborates on residential offerings within the Circle Square Masterplan area should be of high quality, and such provision contributes to the enhancement of sense of place, vitality, and the establishment of “commercially-led” schemes.

The Proposed Development aims to maximise residents’ amenity offerings to its occupants and increase viability of Vita Living North – conforming to the “commercially-led” objective as outlined in the SRF. Further details of the design and materiality of the Proposed Development, please refer to the Design and Access Statement prepared by Feilden Clegg Bradley Studios submitted in support of this Application.

Amenity Considerations (Noise, Ventilation, and Waste)

Core Strategy Policy DM1 – Development Management requires that all development should consider specific issues related to the nature of the development.

The Applicant has commissioned a noise assessment, prepared by Fisher Acoustics and submitted as part of this Application, in order to show that the Proposed Development is wholly compliant to the noise requirement as specified on the planning permission ref: 116450/FO/2017.

In terms of activity noise egress and internal noise transfer, it is concluded that the noise produced by the Proposed Development are expected to comply with the requirements specified in Condition 24 of the planning permission ref: 116450/FO/2017 in relation to noise.

In terms of ventilation, the design and ventilation systems to be installed will be developed in line with all prevailing regulations – as outlined within the Ventilation Strategy Statement prepared by Crookes Walker Consulting and submitted as part of this Application. It is concluded that the Proposed Development conforms with the original Ventilation Strategy approved and attached to the planning permission (ref: 116450/FO/2017). As such no external changes are proposed, including the requirement for no further louvres.

The Proposed Development would not result in any material change from the waste & servicing strategy approved and attached to the planning permission (ref: 116450/FO/2017). Indeed, the Proposed Development will result in a small reduction in predicted waste generation. For details, please refer to the Waste Management Review / Technical Note (with approved Waste & Servicing Strategy appended) prepared by Vectos submitted as part of this Application.

The Proposed Development has been fully considered against the relevant policies of the Development Plan and found to be address the requirements of the Development Plan as a whole. In addition, no material considerations have been identified that would justify refusal of this Application.

Application Submission

In addition to this Covering Letter, the following documentation is submitted in support of this Application:

- Application Form prepared by Deloitte
- Drawings prepared by Feilden Clegg Bradley Studios:
 - Site Location Plan – Ref: CSAR-FCBS-XX-XX-DR-A-1000-P01
 - Illustrative Site Plan – Ref: CSAR-FCBS-XX-XX-DR-1001-P01
 - GA Plan – Mezzanine Existing – Ref: CSAR-FCBS-ZT-MZ-DR-A-1100-P01
 - GA Plan – Mezzanine Strip Out – Ref: CSAR-FCBS-ZT-MZ-DR-A-1101-P01
 - GA Plan – Mezzanine Proposed – Ref: CSAR-FCBS-ZT-MZ-DR-A-1102-P01
- Design and Access Statement prepared by Feilden Clegg Bradley Studios (dated May 2023);
- Noise Assessment prepared by Fisher Acoustics (ref: T01-PR0538-MPF);
- Ventilation Strategy Statement prepared by Crookes Walker Consulting;
- Waste Management Review / Technical Note prepared by Vectos (ref: P34393 L01);
- Operational/ Residential Management strategy (within Design and Access Statement) prepared by Vita; and,
- Commercial / Retail Market Commentary prepared by Vita (with input from real estate agencies LTL Property and Graham+Sibbald).

The Application has the Planning Portal reference: PP-12192904 and the application fee of £462 has been paid online via Planning Portal.

The development is therefore wholly compliant with the policies of the Development Plan and there are no material considerations which would justify refusal of the Application. We therefore respectfully request that this Application be supported by the Planning Authority.

We would be grateful if you could notify us of the validation of the Application and please do not hesitate to contact my colleagues Jemma Brabrook (jbrabrook@deloitte.co.uk / +44 161 455 6903) or Matthew Lam (mlam@deloitte.co.uk / +44 161 455 8448).

Yours sincerely

A handwritten signature in black ink that reads "Deloitte LLP". The signature is written in a cursive, slightly stylized font. It is enclosed within a thin black rectangular border.

For Deloitte LLP

Encl.