

1 May 2020

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Dear Sirs,

Circle Square, Oxford Road, Manchester – Application for Non-Material Amendments to Planning Permission for Buildings 2, 3 and 4 (Ref: 111025/FO/2016/C1)

On behalf of our client, Bruntwood Circle Square 4 Ltd, we hereby submit an application under Section 96(a) of the Town and Country Planning Act 1990 in order to make Non-Material Amendments ("NMA") to Planning Permission 111025/FO/2016/C1.

Planning History

On 6 June 2016 Planning permission was granted on Plots 2, 3 and 4 of the Circle Square Masterplan (111025/FO/2016/C1). The Planning permission has been subject to a number of amendments, including a NMA which amended the description of development (Ref: 121850/NMC/2018).

The description of development approved under application reference 121850/NMC/2018 is as follows:

"Blocks 2,3 and 4 - Erection of two buildings (18 and 14 storeys (Blocks 2 and 4)) comprising offices (Class B1) with ground floor and basement 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 an external terrace (Block 2 & 4), alongside creation of public green space with pavilion building (Block 3) for events space / uses within Classes A1, A3, A4, D1(Exhibition Hall/ Public Hall only) , D2(Concert Hall / Music Hall only)(Sui Generis) accessed from ground level within basement level below alongside creation of areas of public realm including tree planting and all associated access and servicing."

Background

Buildings 2, 3 and 4 are part of the Circle Square Masterplan, bounded by Oxford Road to the west, Brancaster Road to the south, and the wider Circle Square masterplan to the east and north.

Planning Permission 111025/FO/2016/C1 was one of four planning applications submitted and granted in tandem for a multi-storey car park, two residential buildings and two office buildings to be set around what will be one of the largest areas of public realm in the city centre. Together these applications comprise Phase 1B of the Circle Square Masterplan. These applications were supported by a single Environmental Statement ("ES") assessing all applications together ("the Phase 1B ES"). The Phase 1B ES was latterly updated to incorporate future changes to the Circle Square masterplan; in this regard, the most up-to-date and relevant ES is the Phase 1B and Phase 1C (Plot 9) ES ("the December 2016 ES").

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Summary of Proposed Amendments

All of the buildings within Phase 1B are currently under construction and are due for completion in 2020. A number of pre-lets have been secured for the office buildings, and Bruntwood are in discussion with potential tenants for the ground and basement level commercial units. This has prompted discussions around the operational requirements of the future tenants, alongside the development of the management strategy for Buildings 2, 3 and 4 by Bruntwood. As such, a number of amendments to the approved scheme are proposed to address the operational requirements of the buildings.

In addition it has been identified that three of the street trees proposed on Oxford Road cannot be installed due to the existing services under the pavement. These trees are located within the planning application boundary of Building 5&6 of the Circle Square Masterplan, but are part of the masterplan-wide wind mitigation scheme and therefore affect the wind environment around Building 2.

To ensure the trees are not lost, they will be re-located within the landscaped area adjacent to Plot 12. The changes location of the trees is captured within two concurrent NMAs, submitted to amend the planning permissions for Buildings 5&6 and Building 12 (Ref. 116/450/FO/2017 and 125451/FO/2019, respectively). This amendment application includes changes to an affected entrance and an update to the wind mitigation scheme.

Finally, amendments are proposed to the wording of some of the conditions on the permission for Buildings 2, 3 & 4 to ensure they can be complied with.

Full details of the proposed amendments are set out in this covering letter.

The Site

Buildings 2, 3 and 4 sit on the western edge of the site, within Phase 1B of the Circle Square Masterplan. It is bounded by Oxford Road to the west; Brancaster Road to the south and the emerging Circle Square Masterplan to the east and north.

Pre-application Consultation

The approved development on the Site was subject to a comprehensive process of public and stakeholder engagement, including engagement with Historic England, Places Matter!, the Environment Agency, Greater Manchester Police, local businesses and residents, and local Ward Councillors.

This application is submitted following consultation with the Planning Authority between July 2019 and April 2020, by phone with Angela Leckie. It has been agreed with officers that all of the changes proposed could be progressed as an NMA to the existing permission, and the requirements for supporting information were agreed during the pre-application discussions.

Non Material Amendments to the Approved Development

The proposed changes are summarised below and also detailed within the enclosed summary document prepared by Feilden Clegg Bradley Studios.

Façade Development - Buildings 2&4

A number of alterations to the facade of Buildings 2 and 4 are proposed as follows:

- Mullion subdivision – intermediate vertical mullions are proposed to be removed from the spandrel panels of Levels 2-5 to create more variation across the façade moving up the building.

- Signage – design development with signage panels to retail spaces spanning the whole bay.
- Façade to reception area – following fit-out design, spandrel panels around the reception area have been changed from metal to glass to create a continuous full height elevation.

M&E, Access & Maintenance Development – Buildings 2&4

To facilitate the operation of the buildings a number of alterations relating to M&E, access and the maintenance of Buildings 2 and 4 are proposed:

- Ductwork behind balustrade on Level 17 – Due to access restrictions and a dense plant space on the roof of Building 2, two low level vents will sit behind the 1100mm metal balustrade for two bays on the northern façade.
- Building Maintenance Unit (BMU) change to Building 2 – The BMU for Building 2 has changed from a mono rail to a two track fixed system. To allow for easy in maintenance and use, the cradle for BLD 2 will be stored on the lower level (Level 17) from the park position of the unit (on Level 18). There will also be a grating at between the tracks to allow for maintenance.
- Building 4 terrace balustrade – the metal balustrade around the Building 4 terrace has been changed from metal to glass on the eastern elevation overlooking Symphony Park (Plot 3).
- Safety rail added around the rooftop Automatic Opening Vents (AOVs) – following design development and clarity around the access strategy, safety rails will be provided around the AOV's to ensure safe access to the roof is available for routine maintenance.
- Due to a change in roofing sub-contractor, the lift over-runs have increased by 150mm to allow for upstands on both buildings.

Floor Plan Changes – Buildings 2&4

A number of amendments have been made to the floor plan of Buildings 2 and 4, notably:

- Basement Level – reconfigured internal access to units and layout changes to the substation, management suite, and accessible changing room.
- Ground Floor – retail unit layouts have been amended to meet the incoming tenant requirements. This has resulted in the subdivision of some units and the introduction of some additional external doors. Following fit-out design developments, WCs have been added directly from the reception area to simplify access through the core. The new retail unit layout and door locations impact the wind mitigation strategy following the removal of three trees on Oxford Road. Further details on this are provided later in this letter.
- First Floor – the speed gate arranged has been updated and slab outline amended following fit-out changes.
- Levels 2-4 – middle door access to the core has been removed and a wall has been moved so that it is flush with the lobby.

Update to Wind Mitigation Scheme

The approved Phase 1B masterplan landscaping scheme includes a comprehensive wind mitigation strategy to create an acceptable wind environment around each of the buildings and in the public realm. The wind mitigation scheme has been amended as a result of detailed site investigations, which have identified constraints in delivering the intended layout of street trees.

To determine whether the trees could be installed Bruntwood has undertaken a GPR survey which identified a large number of existing services under the Oxford Road pavement. The results of the GPR survey are shown in drawing reference: PL1502-MP-SK-225 Oxford Road Tree Pit Services Location.

The depth of the services has been established through trial pits which were dug during the bus priority scheme works and Charles Street Junction re-configuration works. At this point, a number of the services were required to be lowered to facilitate the works so the depths of the services has been established.

The previous ground investigations and the more recent GPR survey have determined that the three trees identified on drawing reference: PL1502-MP-SK-269-00 cannot be installed due to the existing services beneath the pavement.

The trees will therefore be relocated within the piece of landscaping adjacent to Plot 12 to ensure the same number of trees is retained across the Masterplan.

The trees are located within the planning application boundary of Building 5&6 of the Circle Square Masterplan (Planning Permission Ref. 116/450/FO/2017), but acted as wind mitigation for Building 2.

A technical note prepared by NOVA (formerly BMT) is submitted with this application, which focuses on the change in wind conditions in terms of pedestrian safety and comfort following the removal of the trees and the relocation of the entrance doors to the retail units.

The note confirms that the relocation of the trees will not result in any exceedances of the safety criteria. It sets out that at one location, on the south west corner of Building 2, where Oxford Road meets Brancaster Road (now Newman Street) there is anticipated to be an exceedance of the comfort criteria for ingress / egress but remaining suitable for leisurely thoroughfare throughout the year. Consequently, the main entrance to the retail unit has been relocated to the south-east façade of Building 2 which is assessed as being suitable in terms of pedestrian safety and comfort, with the entrance on Oxford Road being used as a secondary entrance only.

Building 3 Design Development

Alterations to Building 3 are proposed following the design evolution process:

- Fascia height – following detailed development of the stone fascia around the rim of the pavilions, the overall height has increased slightly.
- Soffit material –the soffit material has been amended from granite to a PPC soffit. The powder coated colour will match the mullion colour and results in a cleaner finish that is easier to maintain. The material will be the same as the soffit material used on Buildings 2 and 4.
- Staircase redesign – as the design of the internal staircases has continued to develop, the stairs in Building 3 have been changed from a circular stair to a dog-legged one.

Update to BREEAM Condition

Condition 3 on the permission requires a post construction review certificate of the BREEAM rating for the buildings to be submitted before the buildings are occupied. Due to the requirements of the BREEAM testing, the completion of the building has to take place before the certificate can be issued. It is currently anticipated that tenants will occupy the building immediately following completion, and as such it isn't possible to comply with the requirements of this condition.

As such, we request the time trigger of the condition is updated to allow submission of the BREEAM certificate within three months of the occupation of the building. The following condition wording is suggested:

"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 local planning authority, within three months of the occupation of the buildings hereby approved."

Other Supporting Documents

The following supporting documents have been included to reflect the changes to the approved scheme sought as part of this planning application:

Plans – Originally Proposed and New

Plans have been included and prepared, showing the layout and elevations changes, and location of the three trees as originally proposed and new plans showing the new permanent location of the three trees in the area of landscaping adjacent to Plot 12.

Trial Pits / Investigations

Details have been included on the investigations that have taken place to confirm that there is no possibility of accommodating the street trees in the originally proposed locations.

Technical Note – Wind Mitigation

A technical note has been prepared by NOVA (formerly BMT) to confirm the impact on wind mitigation following the proposed amendments. The technical note focuses on the change in wind conditions in terms of pedestrian safety and comfort following the removal of the trees and the relocation of the entrance doors to the retail units.

Planning Policy Framework

The Planning Policy Framework relevant to the proposed development has changed slightly since the approval of the original application for Block 2, 3 and 4 in June 2016.

The key Development Plan documents remain the 2012 Manchester Core Strategy and Saved Policies of the 2006 Manchester Unitary Development Plan.

The following documents form Material Considerations in the determination of this application. Notably, the 2012 National Planning Policy Framework has been replaced with the revised National Planning Policy Framework, which was published on 24 July 2018. However, there have been no changes to the Framework or online Planning Policy Guidance which would affect consideration of the application. Manchester City Council planning guidance documents remain unchanged.

Full consideration of the proposed development against the planning policy framework is considered within the original Phase 1B Planning and Tall Building Statement.

Application Submission

This application comprises this Covering Letter and the following documentation:

- Application Form and Notice Certificates;
- Site Location Plan;
- Application Drawings prepared by Feilden Clegg Bradley Studios (FCBS):
 - 1813-FCBS-A-0100-Site Location Plan-P5
 - 1813-FCBS-A-0101-Illustrative Masterplan-P4
 - 1813-FCBS-A-0110-Proposed Masterplan-P4
 - 1813-FCBS-A-0199-L00 GA Plan @ 1:200-P3
 - 1813-FCBS-A-0200-L00 GA Plan-P3
 - 1813-FCBS-A-0201-L01 GA Plan-P3
 - 1813-FCBS-A-0202-L02-L04 GA Plan-P3
 - 1813-FCBS-A-0205-L05 GA Plan-P2
 - 1813-FCBS-A-0206-L06 GA Plan-P2
 - 1813-FCBS-A-0206-L07-L11 GA Plan-P1
 - 1813-FCBS-A-0212-L12 GA Plan-P3
 - 1813-FCBS-A-0213-L13 GA Plan-P3
 - 1813-FCBS-A-0214-L14 GA Plan-P3
 - 1813-FCBS-A-0215-L15-L16 GA Plan-P2
 - 1813-FCBS-A-0217-L17 GA Plan-P3
 - 1813-FCBS-A-0218-L18 GA Plan-P3
 - 1813-FCBS-A-0219-L19 GA Plan-P2
 - 1813-FCBS-A-0220-L0B GA Plan-P3
 - 1813-FCBS-A-0600-North Elevation-P3
 - 1813-FCBS-A-0601-East Elevation-P3
 - 1813-FCBS-A-0602-South Elevation-P3
 - 1813-FCBS-A-0603-West Elevation-P3
 - 1813-FCBS-A-0610-Elevations in Context-P3
 - 1813-FCBS-A-0611-Elevations in Context-P3
 - 1813-FCBS-A-0700-Section 1-P3
 - 1813-FCBS-A-0701-Section 2-P3
 - 1813-FCBS-A-0702-Section 3-P3
 - 1822-FCBS-A-0200-Ground Floor Plan-P3
 - 1822-FCBS-A-0201-Roof Plan-P3
 - 1822-FCBS-A-0202-Basement Floor-P3
 - 1822-FCBS-A-0600-North-West Elevations-P3
 - 1822-FCBS-A-0601-South-East Elevations-P3
 - 1822-FCBS-A-0700-Sections-P3
- Schedule of Updated Plans prepared by FCBS;
- Oxford Road Tree Pit and Services Overlay prepared by Planit;
- Wind Technical Note prepared by NOVA (formerly BMT);
- Design Document prepared by FCBS.

Summary and Conclusion

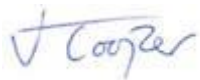
The Site comprises Buildings 2, 3 and 4 of the Circle Square masterplan, bounded by Oxford Road to the west, Brancaster Road to the south and the emerging Circle Square Masterplan to the east and north. Planning Permission was granted on the site on 6 June 2016 (Ref: 111025/FO/2016/C1) for the erection of two buildings of 18 (Building 2) and 14 storeys (Building 4) and the creation of public green space with a pavilion building (Building 3) providing offices, commercial and other uses (A1, A2, A3, A4, B1, D1, and D2 Use Classes).

The amendments proposed in this application will result in a development that is substantively unchanged from the approved development on-site. The amendments have been agreed with the Planning Authority as being non-material to the determination of the original permission.

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 validation of the Application and please do not hesitate to contact me or my colleague Ellen Sanderson-Clark (esandersonclark@deloitte.co.uk / 0113 292 1119).

Yours sincerely



John Cooper
Deloitte LLP

Enc.