

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142846/NMC/2025

Date registered valid: 1 May 2025

Proposal: Non-material amendment to Planning Permission 134288/FO/2022 to amend the time trigger of Conditions 4b (Remediation Verification) and 42 (Air Source Heat Pump).

Address: No.3 Circle Square , Land Bounded By Princess Street, Newman Street (Formerly Brancaster Road) And Cloak Street, Manchester, M1 7ED

Ward(s): Deansgate Ward

Applicant: . Bruntwood Circle Square 12 Ltd

Agent (if any): Mr John Cooper Deloitte LLP

Case officer: Angela Leckie
Tel: 0161 234 4651
Email: angela.leckie@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 28-05-25

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit:

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/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The Site sits at the southern edge of Manchester City Centre within the Circle Square Masterplan. It is bound by Newman Street (formerly Brancaster Road) to the north, Princess Street to the east, Cloak Street and the Mancunian Way to the south and Manchester Technology Centre to the West ('the Site').

Description of development

Consent was granted in July 2022 for the erection of 15 storey building comprising office space (Use Class E(g)(i)) and ancillary flexible commercial uses (Use Class E), rooftop terrace, highway works, landscaping, and other associated works. The application seeks to re-wording of conditions 4 (currently partially discharged (app ref no) and 42 to amend the triggers for submission of details due to the development of the delivery programme .

For purpose of this Application and for full clarity, the consented scheme (Ref: 128666/NMC/2020) is to reach practical completion in two phases – 1.) building element and 2.) public realm element. The building element of the consented scheme is expected to reach practical completion / handed over to the Applicant in mid-May 2025. Subsequently, the public realm element of the consented scheme is expected to reach practical completion in end of July 2025.

Condition 4b (Remediation Verification) : Condition 4b (Remediation Verification) attached to the Planning Permission (Ref: 128666/NMC/2020) stipulates the submission of a Remediation Verification Report before the occupation of the No.3 Circle Square scheme (Ref: 128666/NMC/2020).

Due to the timescales of the handover of the building (Phase 1) and the completion of site works on the public realm (Phase 2), the full verification cannot be provided and approved by Manchester City Council in time for building handover by the Contractor. For contractual reasons related to handover of the building it is proposed that the existing time trigger for Condition 4b (Remediation Verification) is amended to be 2 months after practical completion of the public realm but would be required to be approved prior to occupation of the building.

Condition 42 (Air Source Heat Pumps) attached to the Planning Permission (Ref: 134288/FO/2022) stipulates the submission of final details of the air source heat pumps including verification of their compliance to noise criteria as specified in Condition 17 of the Planning Permission (Ref: 134288/FO/2022) before the first use of the building. Due to the timescales of the handover of the building (Phase 1) and the completion of site works on the public realm (Phase 2) and the plant equipment acoustics testing, the full details and acoustics verification cannot be provided and approved by Manchester City Council in time for building handover by the contractor. For contractual reasons related to handover of the building it is

proposed that the existing time trigger) is amended to be 2 months after practical completion of the public realm but would be required to be approved prior to occupation of the building.

Consultations & Notification Responses

None

Issues

The re-wording of conditions 4 and 42 are required to amend the triggers for submission of details due to the development of the delivery programme and phasing of practical completion related to building handover from the main contractors.

The proposed amendments are considered to be of a non-material nature and acceptable to the City Council as Local Planning Authority. The City Council is satisfied that the proposed changes to the condition triggers will have no material impact upon the previously approved scheme and will not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development.

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 policies 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: Approve

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

Reason 1: Following an assessment of the details and plans submitted, it is confirmed that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as Local Planning Authority. The City Council is satisfied that the proposed changes to the condition triggers will have no material impact upon the previously approved scheme and will not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development.

Reason 2: The re-wording of conditions 4 and 42 are required to amend the triggers for submission of details due to the development of the delivery programme and phasing of practical completion related to building handover from the main contractors.

4) The development shall be implemented in accordance with the following:

Remediation Strategy, Circle Square, Building 3, Curtins, Reference: CS3-CUR-03-XX-RP-G-0003, Revision: C02 17-02-23; ,

Circle Square Building 3, Updated Ground Gas Risk, Assessment Curtins Ref: 080355-CUR-00-XX-RP-GE-005 Ref: CS3-CUR-03-XX-RP-G-0005 Revision: P02 Issue Date: 17 February 2023; and

Gas Monitoring Certificates stamped as received on 17-02-23

the pre-commencement requirements of the condition are discharged

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

(c) Within 2 months of practical completion of the public realm element of the development hereby approved (practical completion as defined within Covering Letter prepared by Deloitte, dated 1 May 2025, stamped as received on 1 May 2025) a Remediation Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority prior to first use of the building.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

42) Within 2 months of practical completion of the building element of the development hereby approved (practical completion as defined within Covering Letter prepared by Deloitte, dated 1 May 2025, stamped as received 1 May 2025, details of the siting, scale and appearance of the air source heat pumps to the buildings shall be submitted to and approved in writing by the City Council as local planning authority hereby approved. The details shall be submitted to the City

Council as local planning authority prior to first use of the development as office. The air source heat pumps must also comply with the noise criteria as specified in condition 17. The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ."

Reason - In the interest of ensuring the air source heat pumps are installed and to ensure that they are appropriate in terms of visual amenity pursuant to policies SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

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

Flood Zones Type 2 (low to medium 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 (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) -

Area Team Boundary - Name: CENTRAL