

1 May 2025

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

FAO Angela Leckie

Dear Angela

**No. 3 Circle Square, Manchester – Application for Non-Material Amendment to Planning Permission
Reference 134288/FO/2022**

On behalf of our client, Bruntwood Circle Square 12 Ltd (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 amend the time trigger of Conditions 4b (Remediation Verification) and 42 (Air Source Heat Pumps) attached to No.3 Circle Square Planning Permission (Ref: 134288/FO/2022) (the “Application”).

1 The Site

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’).

2 Planning History

Planning permission for No.3 Circle Square was granted on 04 November 2022 under planning permission reference 134288/FO/2022 (the “Planning Permission”). The Planning Permission provided consent for the creation of a 15-storey building with office use and ancillary flexible commercial uses, together with associated works. The description of development as stated on the decision notice for the Planning Permission (ref: 134288/FO/2022) is as follows:

“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.”

Since the grant of the Planning Permission (Ref: 134288/FO/2022), it has been subject to 2no. non-material amendment (NMA) applications:

1. Application Ref: 136085/NMC/2023 – approved on 23 February 2023, to amend the time trigger of Condition 10 (Drainage) attached to the Planning Permission (Ref: 134288/FO/2022) and the addition of 1no. Condition in relation to a flood emergency plan.
2. Application Ref: 141022/NMC/2024 – approved on 10 October 2024, for various architectural and landscaping amendments to the Planning Permission (Ref: 134288/FO/2022).

3 Proposed Amendments

3.1 Practical Completion Timescales

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.

3.2 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 occupation of the building and the completion of site works on the public realm, the full verification cannot be provided and approved by Manchester City Council in time for practical completion. As such, the existing time trigger for Condition 4b (Remediation Verification) cannot be complied with.

We request Condition 4b (Remediation Verification) is separated out into two parts, with part (b) stipulating the consented scheme to be carried out in accordance with the approved remediation strategy, and part (c) requiring submission of the finalised Remediation Verification Report within 2 months of practical completion of public realm element of the scheme.

The Proposed Amendments will not undermine the Local Planning Authority's ability to receive and approve the condition materials prior to first use of the building as office.

The following condition wording is suggested:

Condition 4b

"When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy. ~~and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority prior to the first occupation of the residential element of the scheme.~~

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.”

Condition 4c (new condition element)

“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, received [MCC to insert date]), a Remediation Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority. The Completion/Verification Report shall be submitted to the City Council as local planning authority prior to first use of the development as office.”

3.3 Condition 42 (Air Source Heat Pumps)

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 timescale of the occupation of the building and the plant equipment acoustics testing, the full details and acoustics verification cannot be provided and approved by Manchester City Council in time for practical completion. As such, the existing time trigger for Condition 42 (Air Source Heat Pump) cannot be complied with.

We request the time trigger of Condition 42 (Air Source Heat Pump) is updated to allow submission of the final details of the air source heat pumps including verification of their compliance to noise criteria within 2 months of practical completion.

The Proposed Amendments will not undermine the Local Planning Authority’s ability to receive and approve the condition materials prior to first use of the building as office.

The following condition wording is suggested:

“~~Prior to the first use~~ 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, received [MCC to insert date]), 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.”

4 Pre-Application Consultation

This Application is submitted following virtual discussion with Principal Planner (Ms. Angela Leckie) at Manchester City Council on 8th April 2025 where the scope and format of this Application were agreed in principle.

Subsequently, proposed condition wordings (set out within Section 3 of this Letter) were agreed via email correspondence dated 23rd April 2025.

5 Planning Policy and Guidance

Full consideration of the consented scheme against the planning policy framework is considered within the original Planning Statement prepared by Deloitte, approved by the Planning Permission (Ref: 134288/FO/2022).

The proposed amendments under this Application do not affect the previous assessment of the proposals approved under the Planning Permission Ref: 134288/FO/2022. The approved land uses, building footprints, parameters under the Planning Permission Ref: 134288/FO/2022 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 Planning Permission with the addition of the Places for Everyone Plan (March 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).

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

Strategy: Policy JP-Strat2 supports the important role the City Centre plays in supporting business and economic development. As such, the consented No.3 Circle Square scheme is compliant with the policy requirement as it is bringing forward much needed, high quality office accommodation in the City Centre.

Places for Jobs: The consented No.3 Circle Square scheme will help supporting economic growth by aligning with objectives set out by Policy JP-J1 'Supporting Long-Term Economic Growth' by contributing to a thriving, inclusive, and productive economy.

Greener Places: The consented No.3 Circle Square scheme will continue to make enhancements to local biodiversity (Policy JP-GG8 A Net Enhancement of Biodiversity and Geodiversity) through the various landscaping features and the extensive tree plantings.

6 Application Submission

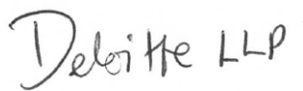
This Application comprises this Covering Letter and the following documentation:

- Application Form and Notices prepared by Deloitte;

Payment of the planning application fee in the sum of £298, in addition to the prerequisite Planning Portal administrative fee, has been made directly to Manchester City Council under Planning Portal Reference PP-13893832. I would be grateful if you could please confirm receipt of this fee.

We would be grateful if you could notify us of validation of the Application and please do not hesitate to contact my colleagues Rachel Poole (rpoole@deloitte.co.uk / 0161 455 6272) or Jemma Brabrook (jbrabrook@deloitte.co.uk / 0161 455 6903).

Yours sincerely

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

For Deloitte LLP

Encl.