

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142288/NMC/2025

Date registered valid: 28 February 2025

Proposal: Non-material amendment to Condition 19 (BREEAM) of planning permission 125592/FO/2019.

Address: Citylabs 4.0 , Hathersage Road, M13 9WL

Ward(s): Ardwick Ward

Applicant: Tom, Bruntwood SciTech

Agent (if any): Mr Tom Young Deloitte LLP

Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 18 March 2025

Application Details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: Not applicable

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/Area

Listed building: Not applicable

Conservation area: Victoria Park Conservation Area 1972

Tree Preservation Order: Not applicable

The site is located in Ardwick Ward (south of the Central Manchester Hospital Complex) and includes the St Mary's Hospital staff car park and a two-storey temporary building, housing the Manchester University NHS Foundation Trust Diabetes Centre, which is due to be relocated within the campus. The north of the site is bounded by Hathersage Road and is in close proximity to the Ronald McDonald House and Citylabs 2.0. East of the site locates Melrose Apartments and to the south is St Gabriels Hall, Devell House and Victoria Park Conservation Area. To the west of the site is the NHS Winnicott Centre and IQ Student Accommodation. The Citylabs 4.0 site is located at the southern end of the hospital campus, on the south side of Hathersage Road. The Citylabs 2.0 and 3.0 sites are located north of Hathersage Road and Citylabs 1.0 is located at the northern end of the campus adjacent to Nelson Street. All three of these schemes have active frontages onto The Boulevard and the original historic hospital buildings to the west, replacing various links and extensions added over the years.

Description of Development

Citylabs 4.0 is a seven storey building comprising flexible Office (Use Class B1a), Research and Development (Use Class B1b) and Educational Space (Use Class D1), together with ground floor ancillary Retail uses (Use Classes A1 and A3), in addition to associated cycle parking, accessible car parking, landscaping, provision of plant and servicing and related access and highway's works, and other associated works.

Consultations & Notification Responses

No consultations were required.

Issues

The Applicant has engaged proactively with BREEAMUK in respect of the required BREEAM Certificate to address the above condition requirements and ensure the development meets a rating of 'Very Good'. The Applicant has received an interim certificate of 'Very Good', but BREEAMUK have advised that due to their lead-in times, they are unable to provide the full certificate for at least 3 months post completion. As the condition is a pre-occupation condition, the current wording will impact the Applicant's ability to occupy the building until a certificate is received.

As a result, under this non-material amendment applied, it is proposed to amend the wording of Condition 19 to allow for the full certificate to be provided to the LPA for approval within six months of first occupation of the building.

The applicant will still have to demonstrate that they have achieved a 'Very Good' BREEAM rating, as evidenced in the Interim BREEAM Certificate submitted as part of this application. . The proposed amended wording will maintain the intentions of Condition 19 in securing a BREEAM rating of 'Very Good'.

The issue with the lead time has been encountered at other sites and there has been a precedent in approving non-material amendments in order to change the wording of the BREEAM condition to allow for submission of the certificate within 6 months of the occupation of the development.

Overall, it is considered that there will be no significant material change to the original development, therefore a non-material amendment is considered to be an acceptable method to amend the original permission.

Given the current issues with obtaining BREEAM certification, the change to submitting within six months of occupation is considered to be reasonable and follows precedent on other sites approved by the Local Planning Authority.

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

1) The proposed seeks to alter the trigger point of condition 19 (BREEAM) to allow for the occupation of the development prior to the submission of a post construction review certificate. Such a certificate will still be required to be submitted but within six months of the first occupation of the development. The reason for this is due to the six-month backlog of BREEAM inspections that need to be carried out. The original wording of this condition would hold up occupation of the site until this was carried out.

2) Following an assessment of the details submitted, I can confirm that the proposed amendment is considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The proposed amended wording will maintain the intentions of Condition 19 in securing a BREEAM rating of 'Very Good', it simply looks to amend the timelines as to when the post construction review certificate will be submitted to the City Council, and therefore the City Council is satisfied that the proposed changes will not result in any significant material alterations to the planning approval.

19) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'very good'.

A post construction review certificate shall be submitted to and approved in writing by the City Council as Local Planning Authority within 6 months of the first occupation of the development.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy, policy DP3 of Regional Spatial Strategy for the North West (RSS), and the principles contained within The Guide to Development in Manchester SPD (2007), and the National Planning Policy Framework."

Appendix 1 – List of consultees & neighbours notified

None applicable.

Appendix 2 – Planning constraints

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
Conservation Area - Victoria Park Conservation Area 1972
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL