

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Bruntwood Circle Square 12 Ltd
C/o Agent

Agent (if used)

Mrs Rachel Poole
Deloitte LLP
The Hanover Building
Corporation Street
Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: 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

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

Date of application: 19 July 2022

Application number: 134288/FO/2022

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Approved** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 35 Declaration

Officers have worked with the applicant in a positive and pro-active manner to seek solutions to problems arising in relation to dealing with the planning application. This has included on going discussions about the form and design of the developments and pre application advice about the information required to be submitted to support the application.

Condition(s) attached to this decision

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

(a) Site Location Plans CS3-BAR-03-XX-DR-A-05-0100 Rev P034, 0256-CS3-BAR-03-XX-DR-A-05-0001 P02 and 1502A-PLA-XX-XX-DR-L-1000 REV P0 stamped as received on 06-07-22;

(b) Proposed Site Plan CS3-BAR-03-XX-DR-A-05-0100 P04, Proposed Street Elevations 01 CS3-BAR-03-ES-DR-A-05-0110 P03, Proposed Street Elevations 02 CS3-BAR-03-ES-DR-A-05-0111 P03, Proposed Ground Floor GA CS3-BAR-03-00-DR-A-05-0120 P03, Proposed Mezzanine GA CS3-BAR-03-MZ-DR-A-05-0121 P03, Proposed Levels 01,03,05,07,09,11,13 Plan GA CS3-BAR-03-ZZ-DR-A-05-0122-1 P01, Proposed Levels: 02,04,06,08,10,12 Plan GA CS3-BAR-03-ZZ-DR-A-05-0122-2 P01, Proposed 14th Floor Plan GA CS3-BAR-03-14-DR-A-05-0123 P03, Proposed Roof Plan GA CS3-BAR-03-RF-DR-A-05-0124 P03, Proposed Section A-A CS3-BAR-03-XX-DR-A-05-0130 P03, Proposed Section B-B CS3-BAR-03-XX-DR-A-05-0131 P03, Proposed Section C-C CS3-BAR-03-XX-DR-A-05-0132 P03, Proposed Section E-E CS3-BAR-03-XX-DR-A-05-0134 P03, Proposed Section F-F CS3-BAR-03-XX-DR-A-05-0135 P03, Proposed Section G-G CS3-BAR-03-XX-DR-A-05-0136 P03, Proposed Elevations: North & East CS3-BAR-03-ES-DR-A-05-0200 P03, Proposed Elevations: South & West CS3-BAR-03-ES-DR-A-05-0201 P03, Standard window detail (Typical Floor) CS3-BAR-03-XX-DR-A-05-0301 P02, Arched window detail (Ground Floor) CS3-BAR-03-XX-DR-A-05-0302 P03 and Retail Window Detail (Ground Floor) CS3-BAR-03-XX-DR-A-05-0303 P02;

(c) Dwgs 1502A-PLA-XX-XX-DR-L-0001 REV P06, 1502A-PLA-XX-XX-DR-L-0002 REV P04, 1502A-PLA-XX-XX-DR-L-0003 REV P04, 1502A-PLA-XX-XX-DR-L-0004 REV P04, 1502A-PLA-XX-XX-DR-L-0005 REV P05, 1502A-PLA-XX-XX-DR-L-0006 REV P03, 1502A-PLA-XX-XX-DR-L-0007 REV P04 and 1502A-PLA-XX-XX-DR-L-0008 REV P04;

(d) Crime Impact Statement Version A 14-07-22 stamped as received on 19-07-22;

(e) Accommodation Schedule Table 4.1 Quantum of Proposed Development of Deloitte's No.3 Circle Square, Planning and Tall Building Statement July 2022 stamped as received on 06-07-22;

(f) Sections 4.18, 4.19 and 5 of the No.3 Circle Square, Manchester| Design and Access Statement by Bridge Architects stamped as received on 06-07-22;

(g) Letter from University of Salford Archaeology Dated 17th May 2022 and stamped as received on 06-07-22;

(h) Inclusions of measures and targets set out in the CIRCLE SQUARE NO.3, MANCHESTER, ENVIRONMENTAL STANDARDS STATEMENT, JUNE 2022 REF: 2021.305 by Element Sustainability stamped as received on 06-07-22;

(i) Inclusion of measures and targets within NO.3 CIRCLE SQUARE, MANCHESTER LIFE CYCLE ASSESSMENT CONCEPT DESIGN JUNE 2022 by Element Sustainability stamped as received on 06-07-22;

(j) 3 Circle Square. Manchester, AIR QUALITY, AIR QUALITY ASSESSMENT REVISION 01 - 01 JULY 2022 by Hoare Lee stamped as received on 06-07-22;

(k) No 3 Circle Square, Manchester, Flood Risk Assessment and Drainage Strategy, Curtins Ref: CS3-CUR-03-XX-RP-D-92000
Revision: V02 Dated: 01 July 2022, stamped as received on 11-07-22;

(l) Television and Radio Baseline Survey and Report No.3 Circle Square by Pager Power stamped as received on 06-07-22;

(m) NO. 3 CIRCLE SQUARE EXTENDED PHASE 1 HABITAT SURVEY by Penny Anderson Associates stamped as received on 06-07-22;

(n) Ventilation Strategy 17/06/2022 Ref: CS3-CWC-03-XX-RP-ME-0006 by CW stamped as received on 06-07-22;

(o) Phase 1 Preliminary Risk Assessment, Circle Square Building No.3, Curtins, Reference: 080355-CUR-00-XX-DR-GE-001, 1 July 2022;

(p) No. 3 Circle Square, Transport Statement, Curtins Ref: 80646-CUR-XX-XX-T-TP-00001, Revision: P02 Dated: 28 June 2022 and Framework Travel Plan by Curtins both stamped as received on 06-07-22;

(q) No. 3 Circle Square, Waste Management Strategy Curtins Ref: 80646-CUR-XX-XX-T-TP-00003 Revision: P02, Issue Date: 28 June 2022 stamped as received on 06-07-22;

(r) No.3 Circle Square, Manchester Acoustic planning report by Sandy Brown dated 16 June 2022 and stamped as received on 06-07-22;

(s) No.3 Circle Square, Manchester, UK, Wind Microclimate Study, 22nd June 2022 by Nova stamped as received on 06-07-22

(t) ES Volume 1 Main Text:

1. Introduction
2. EIA Methodology
3. Site Description and Proposed Development
4. Alternatives and Design Evolution
5. Construction Phasing and Methodology
6. Climate Change
7. Daylight, Sunlight and Overshadowing
8. Townscape and Visual Impact
9. Water Quality, Drainage and Flood Risk
10. Wind Microclimate
11. Type 1 Cumulative Effects
12. Summary of Residual Impacts

(u) ES Volume 2 List of Appendices

- Appendix 1.1 Site Location Plan
- Appendix 2.1 Cumulative Developments
- Appendix 2.2 EIA Scoping Report
- Appendix 2.3 MCC Scoping Opinion
- Appendix 5.1 Construction Management Plan
- Appendix 6.1 Life Cycle Assessment: Concept Design
- Appendix 6.2 Environmental Standards Statement

Appendix 7.1 Drawings of the Baseline and Proposed Scenario
Appendix 7.2 Daylight and Sunlight Results for Baseline v Proposed
Appendix 8.1 Townscape Baseline and Assessment Table
Appendix 8.2 Visual Baseline and Assessment Table
Appendix 8.3 TVIA Figures
Appendix 8.4 Views and Photomontages
Appendix 9.1 Flood Risk and Drainage Strategy
Appendix 10.1 Wind Microclimate Study

(v) ES Volume 3 -Non Technical Summary

all stamped as received on 19-07-22

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC3, H1, H8, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19, DM1 and PA1 saved Unitary Development Plan policies DC19.1, DC20 and DC26.1.

3) (a) Notwithstanding the details submitted with the application, prior to the commencement of development the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

- *hand sized samples and specifications of all materials to be used on all external elevations;
- *drawings to illustrate details of full sized sample panels that will be produced in line with an agreed programme: and
- *a programme for the production of the full sized sample panels and strategy for quality control management; and

The panels to be produced shall include jointing and fixing details between all component materials and any component panels , details of external ventilation requirements, details of the drips to be used to prevent staining and details of the glazing and frames

and

(b) Prior to above ground development submission of a Construction Environmental Management Plan (CEMP)- Circular Economy Statement (Materials) to include details of the strategy for securing more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in construction and how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle in line with NO.3 CIRCLE SQUARE, MANCHESTER LIFE CYCLE ASSESSMENT

CONCEPT DESIGN JUNE 2022 by Element Sustainability stamped as received on 06-07-22;

(c) The sample panels and quality control management strategy shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme and dwgs as agreed above.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area

within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) a) Notwithstanding the Phase 1 Preliminary Risk Assessment, Circle Square Building No.3, Curtins, Reference: 080355-CUR-00-XX-DR-GE-001, 1 July 2022 prior to the commencement of the development the following information should be submitted for approval in writing by the City Council, as Local Planning Authority:

- (i) Submission of Site Investigation Proposals
- (ii) Submission of a Site Investigation and Risk Assessment Report
- (iii) Submission of a Remediation Strategy

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence in the identified areas until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) 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.

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.

5) No development shall take place until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority

The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

*Display of an emergency 24 hour contact number;

- *Details of measures to control dust and mud including on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- *Dust suppression Methodology;
- *Compound locations where relevant;
- * Highway Dilapidation survey;
- *Details of any necessary temporary traffic management measures;
- *Location, removal and recycling of waste and loading/unloading and storage of plant, waste and construction materials;
- *Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- *Routes for construction traffic including swept path analysis;
- *A method statement to protect the River Medlock from accidental spillages, dust and debris in consultation with the Canal and Rivers Trust
- *Parking of construction vehicles and staff;
- *Sheeting over of construction vehicles;
- *Measures to protect vulnerable road users (cyclists and pedestrians); and
- *Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.
- *A plan showing the areas of storage of plant, fuel/chemicals and materials used in constructing the development;
- * steps to be taken to prevent the discharge of silt-laden run-off, construction site drainage, materials or dust or any accidental spillages entering the waterway;
- *details of the environmental pollution incident emergency response;
- * measures to locate, clear, remediate and permanently seal any existing drains or culverts within the application site that may discharge to the River Medlock

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

The development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents, highway safety and air quality, pursuant to policies SP1, EN15, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

6) Notwithstanding the documents detailed in condition 2, prior to the commencement of development a programme for submission of final details of the public realm works and highway works as shown in Dwgs 1502A-PLA-XX-XX-DR-L-0001 REV P06, 1502A-PLA-XX-XX-DR-L-0002 REV P04, 1502A-PLA-XX-XX-DR-L-0003 REV P04, 1502A-PLA-XX-XX-DR-L-0004 REV P04 , 1502A-PLA-XX-XX-DR-L-0005 REV P05, 1502A-PLA-XX-XX-DR-L-0006 REV P04, 1502A-PLA-XX-XX-DR-L-0007 REV P04 and 1502A-PLA-XX-XX-DR-L-0008 REV P04 all stamped as received on 06-07-22 shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted.

For the avoidance of doubt the development should be delivered in accordance with the approved programme and should not be occupied unless or until the public realm works are completed.

(a) Details of (a) all hard (to include use of natural stone or other high quality materials) and (b) all soft landscaping works (excluding tree planting) which demonstrably fully consider and promote inclusive access (including older and disabled people);

(b) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include, the choice of planting species within the public realm, where detailed design allows bat boxes and brick, bird boxes and areas of sensitively designed lighting provide opportunities areas within the site for use by bats and moths to include input from a qualified ecologist and which demonstrates Biodiversity Net gain across the site;

(c) Details of the proposed tree species within the public realm including proposed size, species and planting specification including tree pits and design and details of on going maintenance;

(d) Details of how surface water from the public realm would be managed within the public realm through Suds interventions such as infiltration, swales, soakways, rain gardens and permeable surfaces;

(e) Location and design of all street furniture including seating, lighting, bins, handrails, recycling bins, temporary gates, boundary treatments, planters all to include features which fully consider and promote inclusive access (which includes older and disabled people);

(f) Lighting around and within the site (which includes for consideration of older and disabled people and any biodiversity features installed for bats) and how it has been designed to increase opportunities for roosting bats; and

(g) A management and maintenance strategy for the public realm and who would be responsible for the day to day management and maintenance of these areas including ensuring ongoing maintenance of provision of access for disabled people.

The detailed scheme shall demonstrate adherence to the relevant sections of DFA2 and MCC-recommended guidance in relation to Age Friendly Public Realm including Age-Friendly Seating and Sense of Place and the Alternative Age-Friendly Handbook.

and shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above.

If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place,

Reason - To ensure a satisfactory development delivered in accordance with the above plans and in the interest of pedestrian and highway safety pursuant to Section 170 of the NPPF 2019, to ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary

7) Prior to use of the external roof terrace on the 14th floor commencing, a management strategy for the operation of the area, to include details of how , how noise outbreak from the internal areas would be managed how the noise from patrons will be managed and how the area will be cleared and closed by 23.00 and which precludes the playing of any amplified music shall be submitted to an approved in writing by the City Council as Local Planning Authority.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP Policy DC26.

8) The external terrace areas on the 14th floor as shown in dwg 0256-CS3-BAR-03-14-DR-A-05-0123 P03 shall only be accessible between the following hours:

07.00 and 23.00 Monday to Friday;
08.00 to 23.00 Saturday; and
09.00 to 23.00 Sunday

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP Policy DC26.

9) For the avoidance of doubt the consent for the use of the external areas at ground floor level shall not allow for the use of amplified sound or any music in these external areas at any time. Prior to the commencement of the use of the ground floor external areas within the application site details of the hours of operation in shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP Policy DC26.

10) Notwithstanding the details as set out within condition 2 no development shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority. This shall include:

*Finalised drainage layout showing all components, levels and connectivity.

*Finished floor levels and flood resistance/resilience measures shall be set in accordance with No 3 Circle Square, Manchester Flood Risk Assessment and Drainage Strategy (Curtins Ref: CS3-CUR-03-XX-RP-D-92000 Revision: V02 Issue Date: 01 July 2022). Evidence shall be presented of retention through to final design.

*A Flood Emergency Plan covering the points recommended in No 3 Circle Square, Manchester Flood Risk Assessment and Drainage Strategy (Curtins Ref: CS3-CUR-03-XX-RP-D-92000 Revision: V02 Issue Date: 01 July 2022).

*Evidence that the drainage system has been designed to the restricted flow rates previously approved, which shall present evidence of previous approvals.

*Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building;

*Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.

*For sites where proposed development would cause pollution risk to surface water, evidence of pollution control measures (preferably through SuDS) is required.

*Where an application is part of a larger site which already has planning permission it is essential that the new proposal does not compromise the drainage scheme already approved.

*Hydraulic calculation of the proposed drainage system;

*Construction details of flow control and SuDS elements.

The approved details shall be implemented as part of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

11) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

(a) Verification report providing photographic evidence of construction as per design drawings;

(b) As built construction drawings if different from design construction drawings;

(c) Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

12) The development hereby approved shall be carried out in accordance with the targets set out within the CIRCLE SQUARE NO.3, MANCHESTER, ENVIRONMENTAL STANDARDS STATEMENT, JUNE 2022 REF: 2021.305 by Element Sustainability.

A post construction statement shall be submitted within 12 months of occupation of the development.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, DM1, EN4 and EN8 of Manchester's Core Strategy, and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

13) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least a 'Excellent' rating. Post construction review certificate(s) shall be submitted to, and approved in writing by the City Council as local planning authority, within three months of the buildings hereby approved being first occupied.

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, and the principles contained within The Guide to Development in Manchester SPD (2007), and the National Planning Policy Framework.

14) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason

To ensure a safe form of development that poses no unacceptable risk of contamination to controlled waters pursuant to section 10 of the National Planning Policy Framework Core Strategy policy EN14 and EN17.

15) Notwithstanding the recommendation within the No.3 Circle Square, Manchester Acoustic planning report by Sandy Brown dated 16 June 2022 and stamped as received on 06-07-22 before the operation of each ground floor commercial units commences a scheme for acoustically insulating each unit to ensure that there is no unacceptable level of noise transfer from these units to the residential accommodation above or any unacceptable noise break out shall be submitted to and approved in writing by the City Council as local planning authority.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively. The scheme proposed may need to include different measures such as acoustic lobbies at access and egress points of the premises, acoustic treatment of the building structure, sound limiters linked to sound amplification equipment and specified maximum internal noise levels

The approved noise insulation scheme shall be completed before any of the approved uses commence.

Prior to occupation a post completion report to verify that all of the recommended mitigation measures have been installed and effectively mitigate any potential adverse noise impacts in adjacent residential accommodation arising directly from the proposed development shall be submitted and agreed in writing by the City Council as local planning authority. Prior to occupation any non compliance shall be suitably mitigated in accordance with an agreed scheme.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP Policy DC26.

16) Before any use of each ground floor commercial uses hereby approved commences details of the proposed opening hours shall be submitted to and approved in writing by the City Council as local planning authority. The units shall be not be operated outside the hours approved in discharge of this condition.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

17) Prior to occupation of

(a) The office accommodation and communal areas (including terraces); and

(b) Each of the ground floor commercial units

a scheme for the acoustic insulation of any plant including externally mounted ancillary equipment, lift equipment, substation and any emergency plant associated with the development to ensure that it achieves a background noise level of 5dB below the existing background (La90) at the nearest noise sensitive location shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment. The approved scheme shall be completed before the premises is occupied and a verification report submitted for approval by the City Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed scheme prior to occupation. The approved scheme shall remain operational thereafter.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

18) Final details of the method of extraction of any fumes, vapours and odours from any kitchen within each ground floor commercial unit shall be submitted to and approved in

writing by the City Council as local planning authority prior to commencement of those uses. The details of the approved scheme shall be implemented prior to occupancy of each unit and shall remain in situ whilst the use or development is in operation.

Defra have published a document entitled 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (withdrawn but still available via an internet search). It describes a method of risk assessment for odour, guidance on minimum requirements for odour and noise control, and advice on equipment selection. It is recommended that any scheme should make reference to this document (particularly Annex B) or other relevant guidance or documents which supersede this guidance. Details should also be provided in relation to replacement air. The applicant will therefore need to consult with a suitably qualified ventilation engineer and submit a kitchen fume extract strategy report for approval.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy

19) The development hereby approved shall be carried out in accordance with the No. 3 Circle Square, Waste Management Strategy Curtins
Curtins Ref: 80646-CUR-XX-XX-T-TP-00003 Revision: P023, Issue Date: 28 June 27 October 2022 stamped as received on 06-07-22 28-10-22.

The details shall be implemented prior to the first use of the development and thereafter retained and maintained in situ.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

20) a) Prior to the commencement of the development, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

In this condition a Local Benefit Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal
- iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

21) No externally mounted telecommunications equipment shall be mounted on any part of the building hereby approved, including the roofs other than with express written consent of the Local Planning Authority.

Reason - In the interest of visual amenity pursuant to Core Strategy Policies DM1 and SP1

22) Notwithstanding the Television and Radio Baseline Survey and Report No.3 Circle Square by Pager Power stamped as received on 06-07-22 if following commencement of construction of the hereby approved development, any interference complaint received by the Local Planning Authority shall be investigated to identify whether the reported television interference is caused by the Development hereby permitted. The Local Planning Authority will inform the developer of the television interference complaint received. Once notified, the developer shall instruct a suitably qualified person to investigate the interference complaint within 6 weeks and notify the Local Planning Authority of the results and the proposed mitigation solution. If the interference is deemed to have been caused by the Development, hereby permitted mitigation will be installed as soon as reasonably practicable but no later than 3 months from submission of the initial investigation to the Local Planning Authority. No action shall be required in relation to television interference complaints after the date 12 months from the completion of development.

Reason - To ensure terrestrial television services are maintained In the interest of residential amenity, as specified in Core Strategy Policies DM1 and SP1

23) Prior to implementation of any proposed lighting scheme (including on the roof terrace and external areas) details of the scheme including a report to demonstrate that the proposed lighting levels would not have any adverse impact on the amenity of residents within this and adjacent developments shall be submitted to and agreed in writing by the City Council as local planning authority:

Reason - In the interests of visual and residential amenity pursuant to Core Strategy policies SP1, CC9, EN3 and DM1 of the Core Strategy.

24) The development hereby approved shall be carried out in accordance with the Framework Travel Plan by Curtins stamped as received on 06-07-22

In this condition a travel plan means a document that includes the following:

- i) the measures proposed to be taken to reduce dependency on the private car by building occupiers;
- ii) a commitment to surveying the travel patterns of residents within the first six months of use of the development or when two thirds of the units are occupied (whichever is sooner) and thereafter from time to time;
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car;
- iv) measures for the delivery of specified travel plan services;

- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car;
- vi) measures to identify and promote walking routes connecting Spinningfields, Salford Metrolink, the City Centre and areas towards the Victoria Station and the Civic Quarter;
- vii) details of cycle parking within the public realm

Within 3 months of the completion of the travel survey, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel and to secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution. , pursuant to policies SP1, T2 and DM1 of the Core Strategy, the Guide to Development in Manchester SPD (2007) and Greater Manchester Air Quality action plan 2016.

25) Deliveries, servicing and collections associated with the management of the building and ancillary uses within it including waste collections shall not take place outside the following hours:

07:30 to 20:00 Monday to Saturday
10:00 to 18:00 Sundays and Bank Holidays

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

26) No infiltration of surface water drainage into the ground on land affected by contamination is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason - To prevent pollution of controlled waters from potential contamination on site. Infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

27) The development hereby approved shall include for full disabled access to be provided to all publicly accessible areas of public realm during the hours that it is open to the general public and via the main entrances.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1

28) The window(s) at ground level, fronting onto Newman Street and facing the public realm shall be retained as a clear glazed window opening at all times and views into the premises shall not be screened or obscured in any way.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street-scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

29) If any external lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy

30) Notwithstanding the details contained within condition 2 above prior to the first occupation of the residential element, a scheme of highway works and footpaths reinstatement/public realm for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the following:

(a) Detailed designs in relation to the above to including materials, layout, junction protection, carriageway widths, kerb heights, street lighting, entry treatments, signing, lining and traffic management including installing dropped kerbs with tactile pavers across any vehicle access to the site and at adjacent junction crossing points, reinstatement of any redundant vehicle crossing points; and

(b) Amendments to the existing TROs;

The approved scheme shall be implemented and be in place prior to the first occupation of the office accommodation and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

31) The development shall be carried out in accordance with sections 4.5 and 6 of the Crime Impact Statement Version A 14-07-22 stamped as received on 19-07-22. The development shall only be carried out in accordance with these approved details and within 12 months of completion, the applicant will confirm in writing to the Council as local planning authority that the development has achieved Secure by Design accreditation

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework

32) In the event that any of the commercial units, as indicated on drawing 0256-CS3-BAR-03-00-DR-A-05-0120 P03 are occupied as an restaurant (Class E) or Drinking Establishment (Sui Generis) use, prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority.

A Management Strategy for patrons and control of any external areas. For the avoidance of doubt this shall include:

*An Operating Schedule for the premises (prevention of crime and disorder, prevention of public nuisance, Management of smokers)

*Details of a Dispersal Procedure

* Mechanism for ensuring windows and doors remain closed after 9pm

The approved scheme shall be implemented upon first use of the premises and thereafter retained and maintained.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

33) No doors (other than those designated as fire exits and ground floor bin store shown on plan 0256-CS3-BAR-03-00-DR-A-05-0120_P03) shall open outwards onto adjacent public highway.

Reason - In the interest of pedestrian safety pursuant to policy DM1 of the Manchester Core Strategy (2012).

34) Prior to the first occupation of the office accommodation the 122 cycle parking spaces shall be fully implemented as shown in dwg 0256-CS3-BAR-03-00-DR-A-05-0120 P03.

Reason - To ensure there is sufficient cycles stand provision at the development and the residents in order to support modal shift measures pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

35) a) No development, hereby approved, shall commence until a detailed risk management programme / plan for unexploded ordnance (UXO) and mitigation as appropriate, is submitted in writing to the local planning authority for approval. Development shall be carried out fully in accordance with the approved UXO risk management and mitigation programme / plan.

b) No property, hereby approved, shall be occupied until the approved UXO risk management and mitigation programme / plan has been implemented in full as to the

removal of high risk UXO matters or implemented in full as to other necessary mitigation which are covered under the detailed risk management programme / plan approved pursuant to paragraph a) above and a mitigation completion verification report has been submitted to and approved in writing by the Local Planning Authority, confirming that that all risks to (including the possible evacuation of) existing and proposed premises have been satisfactorily mitigated.

c) If, at any time during development, high risk UXO not previously identified (as part of the approved UXO risk management and mitigation programme / plan approved under 40a) is encountered / found to be present , no further development shall be carried out until a revised and/or additional UXO risk management and mitigation programme / plan is submitted detailing how the high risk UXO not previously identified shall be dealt with, and is approved in writing by the Local Planning Authority. The revised and/or additional UXO risk management and mitigation programme / plan shall be implemented as approved and following completion of mitigation a completion verification report shall be prepared and submitted in writing to the Local Planning Authority for approval confirming that that all risks to (including the possible evacuation of) existing and proposed premises have been satisfactorily mitigated.

Reason: To ensure that the risks from unexploded ordnance to future users of the land and existing neighbouring land are eliminated and or minimised to ensure that development can take place without unacceptable risk to workers and neighbours including any unacceptable major disruption to the wider public on and off site that may arise as a result of evacuation/s associated with the mitigation of UXO, pursuant to policies EN18 and DM1 of the Core Strategy for Manchester.

36) Prior to the first use of the development hereby approved a external signage strategy for the entire building shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy shall then be implemented and used to inform any future advertisement applications for the building.

Reason - In the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

37) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of additional upward extensions to the building shall be undertaken other than that expressly authorised by the granting of planning permission.

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

38) The offices hereby approved shall be used only as offices to carry out any operational or administrative functions as set out under part (g)(i) of Use Class E and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1995 as amended, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity do not commence without prior approval pursuant

to Core Strategy policies SP1 and DM1 and to ensure the permanent retention of the accommodation for office purposes.

39) The 14th floor amenity space and roof terrace hereby approved shall be used as ancillary facilities for office users or visitors to the office facilities and shall not be accessible or useable by the general public.

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity do not commence without prior approval pursuant to Core Strategy policies SP1 and DM1 and to ensure the permanent retention of the accommodation for office purposes.

40) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification):

the ground floor units as shown in dwg 0256-CS3-BAR-03-00-DR-A-05-0120 P03 hereby approved shall only be used for flexible commercial units (Use Classes E a (excluding convenience retail), b, c, e, f).

Reason - In the interest of retaining the provision of office space within the development pursuant to policies EC1, EC4 of the Manchester Core Strategy (2012).

41) Prior to the first use of the development hereby approved, details of the siting, scale and appearance of the solar panels to the roof of the buildings (including cross sections). 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 solar panels are installed and to ensure that they are appropriate in terms of visual amenity and solar glare pursuant to policies SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

42) Prior to the first use of the development hereby approved, details of the siting, scale and appearance of the air source heat pumps to the buildings hereby approved. 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).

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Mining Information

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

The applicant's attention is drawn to the new procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Cranenotification/>

It is expected that all modifications / improvements to the public highway are achieved with a maximum carbon footprint of 40%. Materials used during this process must also be a minimum of 40% recycled and fully recyclable. Developers will be expected to demonstrate that these standards can be met prior to planning conditions being discharged. The developer is to agree the above with MCC's Statutory Approvals and Network Resilience Teams post planning approval and prior to construction taking place

As the proposal involves development over 11m in height (or alterations to increase the height of a building above 11m), developers are required to notify the Greater Manchester Fire & Rescue Service of the commencement of development via email to construction-started@manchesterfire.gov.uk

Should there be any basement excavations proposed adjacent to the highway structural drawings and calculations for the temporary and permanent support works must be submitted for checking (for a fee) to MCC Bridges/Structures Section. The applicant is advised to contact highways.structures@manchester.gov.uk.

Any materials approved for planning purposes should be discussed in full with Building Control. This is to ensure they meet the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the external facade treatment due to conflicts with the Building Regulations you should discuss these with the Planning Service as soon as possible as this could materially effect your permission.

Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm
Saturday: 8.30am - 2pm
Sunday / Bank holidays: No work

Workforce may arrive on site 30 minutes prior but no working outside these times, unless changed by prior agreement. Noise to be kept to a minimum in the first hour. Reason - To safeguard the amenities of the occupiers of nearby residential accommodation during the construction phase.

All of the works required to achieve the new accesses / egresses and associated TROs should be included as part of a S278 agreement to be funded by the applicant

For this development proposals for good practice principles for both the design and operational phases are recommended. Reference should be made to IAQM/EPUK guidance: <http://iaqm.co.uk/guidance>

Date: 4 November 2022

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2 If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/planning-inspectorate. The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Right of challenge on planning application decision

A third party does not have a right of appeal against a decision on a planning application. Instead there is a right of challenge (a Judicial Review) which is limited to lawfulness of the procedure that we have taken in coming to that decision.

Any challenge must be based on the following and not the merit of the decision:

- Procedural irregularity
- Irrationality
- Illegality

Any application for permission to bring such a challenge (which is through the High Court) must be made within 6 weeks of the date of the decision being issued.

Appendix A



**The Coal
Authority**

Any Planning Enquiries should be directed to:

Planning and Local Authority Liaison

Telephone: 01623 637 119

Email: planningconsultation@coal.gov.uk

Website: www.gov.uk/government/organisations/the-coal-authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

This Standing Advice is valid from 1st January 2021 until 31st December 2022