

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132555/NMC/2021

Date registered valid: 20 December 2021

Proposal: Non material amendment to planning permission referenced 129631/FO/2021 to enable alterations to Condition 4 (Approved Plans and Documents) and Condition 18 (BREEAM Certificate) attached to allow the substitution of revised drawings to formalise proposed changes to external elevations, and to amend the BREEAM requirements.

Address: Land North Of Miller Street , Manchester, M4 4PR

Ward(s): Deansgate Ward

Applicant: NOMA (GP) Ltd C/o Agent

Agent (if any): Miss Jennifer Chatfield Deloitte LLP The Hanover Building,
Manchester, M4 4AH

Case officer: Jennifer Atkinson
Tel: 0161 234 4517
Email: jennifer.atkinson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 10 January 2022

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

The Site comprises circa 0.2 hectares and includes circa 30 surface car parking spaces on an area of hardstanding. These spaces form part of the Angel Street public surface car park, which is accessed from Angel Street. The land to the south of the Site also comprises of hardstanding, which is secured by wooden fencing. The Site includes areas of overgrown shrubbery and grassland. There are no existing buildings or trees on the Site.

The Site has a prominent frontage to Miller Street, and is bounded by Miller Street to the south, Angel Mews to the east, Plot M to the north and Angel Square to the west.

The Site comprises the southern section of Plot N of the NOMA Masterplan, which received planning permission in February 2020 for a new office building to be known as 3 Angel Square (Ref: 124973/FO/2019). The adjacent site, Plot M, also forms part of Planning Permission Ref. 124973/FO/2019 and will accommodate an office building to be known as 2 Angel Square.

It is currently anticipated that construction will commence on 3 Angel Square in circa 18 months to 2 years, however, it is understood that these timescales could be accelerated subject to occupier demand.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The Site is located to the northern edge of Manchester City Centre, immediately to the north of Manchester's Inner Ring Road, Miller Street, which joins Great Ancoats Street to become the main route around the north of the City Centre.

To the north of the Site is a surface level car park, together with the landscaping surrounding One Angel Square and the associated architecturally designed air vents. One Angel Square is the head office of the Co-operative Group.

Angel Street is located beyond the car park with a number of residential properties located north of this, including 25 Simpson Street, and the Linx Building.

To the east of the Site beyond Angel Mews road, is Angel Gardens, which comprises a part seven, part 35 storey tall development of 466 residential apartments with ground floor retail / leisure units, that completed construction in 2020. These active uses compliment the provision of retail and leisure within the wider area, including those at Sadler's Yard.

Construction has recently started on the next phase of development at NOMA; 4 Angel Square and the adjacent NOMA Primary Sub-station, which achieved planning permission in July 2019. 4 Angel Square is an 11 storey, office-led development with ground floor retail and leisure units alongside the creation of a new public square and landscaping (Ref. 123437/FO/2019).

The area to the south of Miller Street also forms part of the NOMA Masterplan. This area contains several Listed and unlisted commercial and warehousing buildings, including the 25 storey, 118 metres high Grade II Listed CIS Tower, which fronts directly onto Miller Street. The Listed Estate has been subject to on-going regeneration for several years, resulting in the refurbishment of many of the Listed buildings for office-led mixed use.

The Site and the NOMA area as a whole has excellent accessibility to a range of sustainable transport modes. The area also benefits from a high level of pedestrian and vehicular accessibility

Description of development

Non material amendment to planning permission referenced 129631/FO/2021 to enable alterations to Condition 4 (Approved Plans and Documents) and Condition 18 (BREEAM Certificate) attached to allow the substitution of revised drawings to formalise proposed changes to external elevations, and to amend the BREEAM requirements.

Consultations & Notification Responses

n/a

Issues

The proposed changes to the development are listed as follows:

- Light timber framed windows, doors and clad curtain wall units replaced with anodised aluminium framing and panels in a bronze finish;
- The window widths and heights and positions of the slot windows on the North and South Elevations have adjusted position very slightly to coordinate with the timber cladding module and internal arrangement;
- Update to ground interface detail to the North and East Elevations to show a continuation of the charred timber sleepers to the tiered landscape planters around the building to form a continuous base datum. This is in order to manage the varying ground levels around the Site and facilitate future disassembly of the façade;

- Update to the external M&E Cupboard and Bike Store & VRF enclosure doors to omit the louvres behind the 'hit and miss' charred timber cladding to the doors. The louvres are no longer required as part of the M&E strategy. Charred timber cladding is proposed on the inner plane in lieu of the louvres for the external M&E Cupboard doors;
- Formalise the originally intended location of the VRF to the enclosure adjacent to the bike store instead of on the roof;
- Change from BREEAM 'outstanding' to BREEAM 'excellent'.

The proposed changes are considered to be acceptable. The elevational alterations are minor in nature and would form an improvement to the façade in most cases.

It is noted that the applicant wishes to alter the condition to change the BREEAM rating. The applicant has expressed they whilst they are seeking to still achieve outstanding, it may not be possible and want the flexibility in the wording of the condition. This is considered to be acceptable particularly given the building has only been granted on a temporary basis.

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:

Article 35 Declaration

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

- 1) The proposed seek to enable alterations to Condition 4 (Approved Plans and Documents) and Condition 18 (BREEAM Certificate) attached to allow the substitution of revised drawings to formalise proposed changes to external elevations, and to amend the BREEAM requirements.
- 2) Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will not result in any significant material alterations to the planning approval.

4) The development hereby approved shall be carried out in accordance with the following additional drawings:

10341-Z1-A-B5D8-G200-EL-EE-001 P03, 10341-Z1-A-B5D8-G200-EL-ES-001 P03, 10341-Z1-A-B5D8-G200-EL-EN-001 P03, 10341-Z1-A-B5D8-G200-EL-EN-001 P03, 10341-Z1-A-B5D8-G200-EL-EW-002 P03, 0341-Z1-A-B5D8-G251-DE-XX-001 P03, 10341-Z1-A-B5D8-G251-DE-XX-002 P03 and 10341-Z1-A-B5D8-G251-DE-XX-003 P03 stamped as received by the City Council, as Local Planning Authority, on the 20 December 2021

Noise Impact Assessment dated Dec 2021, prepared by BuroHappold stamped as received by the City Council, as Local Planning Authority, on the 20 December 2021

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

12) (a) The installation of plant at the premises hereby approved shall be carried out in accordance with the Noise Impact Assessment prepared Burohappold (ref. 0046912) stamped as received by the City Council, as Local Planning Authority, on the 20 December 2021. For the avoidance of doubt, externally mounted plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5 db (Laeq) below the typical background (La90) level at the nearest noise sensitive location.

(b) The approved scheme shall be implemented and prior to the first use of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the surrounding residential area in the interest of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

18) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least 'Excellent' rating. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Manchester Core Strategy (2012) and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Area Team Boundary - Name: NORTH1