

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133495/NMC/2022

Date registered valid: 11 April 2022

Proposal: Non material amendment to planning permission 123437/FO/2019 to allow alterations to roof and lift overrun including installation of solar panels, elevational alterations and increase in cycle spaces

Address: 4 Angel Square , Corporation Street, Noma, Manchester, M4 4DU

Ward(s):

Applicant: N/A NOMA (GP) Ltd C/O Agent

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

Case officer: Jennifer Atkinson
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Recommendation: Approve

Date of recommendation: 27 April 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 is 0.68 ha, rectangular and bounded by Miller Street, Rochdale Road/A664 Ring Road, Munster Street and Beswick Row/Dantzic Street. It comprises two vacant industrial buildings of varying heights and the former Ducie Bridge public house which all front on to Miller Street. A hardstanding to the rear is used as a storage yard, temporary contractor parking and a car park. There is significant change in topography across the site. The lowest part is in the northern corner at the junction of Munster Street and Corporation Street. A further drop of 1 metre occurs on the bend in the ring road where Corporation Street meets Aspin Lane. The highest part is at the eastern point where it interfaces with Angel Square. The difference in level is around 4.5 metres, which equates to a large storey height. There is a vehicular access from Miller Street via Beswick Row, which becomes one-way and connects to Munster Street and Oswald Street, which runs north to south through the Site.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The site is part of NOMA which comprises of large cleared sites and historic offices and warehouses, six of which are Grade II listed. When the Co-operative group moved to 1 Angel Square in 2013, many listed buildings became vacant. The re-use and repurposing of the historic estate has been an integral part of the regeneration strategy for NOMA.

This strategy is underpinned by a Strategic Regeneration Framework adopted in 2009 and updated in 2010, 2013 and most recently in 2015 which seek to create a commercially led, mixed use destination covering an area of approximately 20 acres.

The site is surrounded by a variety of uses and buildings in the NOMA estate, including 1 Angel Square, as well as residential and serviced apartments, public realm and landscaping at Sadler's yard and Angel Meadows. The site is close to Manchester Victoria Station and Shudehill interchange. There are temporary surface car parks nearby which should be developed as office led mixed use developments.

There are no listed buildings on site and it is not within a conservation area. However, there are listed building in close proximity and the Smithfield and Shudehill conservation areas are nearby. The buildings on the site have some interest.

Description of development

Non material amendment to planning permission 123437/FO/2019 to allow alterations to roof and lift overrun including installation of solar panels, elevational alterations and increase in cycle spaces

Consultations & Notification Responses

n/a

Issues

The applicant lists the proposed changes as follows:

- An increase in the lift overrun height of 1025mm compared to 2019 approved planning scheme and an increase of 625mm compared to the 2020 approved NMA scheme, required as a result of the lift manufacturer height requirements - not seen from street level;
- An increase in the height of the parapet to level 12, 105mm above the approved height of the perimeter louvre screen. This is as a result of the roof build-up and is understood to be barely a visible change on elevations and not seen from street level;
- An adjustment to the roof railing position for part of the railing due to roof access hatch arrangements;
- Provision of PV array to Level 12 roof plant deck below the height of the roof perimeter louvre screen and to Level 11 roof below balustrade height. PV's are also proposed to the Level 12 core area roof which will sit only 10mm above height of the parapet;
- Removal of the joining lines to roof plant louvre screen which will not be as visible;
- Removal of the jointing lines to the car park louvre wall;
- Additional joints added to the parapet panels on all elevations, due to panel manufacturer size specifications;
- Change from a polished parapet to a deep acid etched parapet in line with a setback plane below the glazing to the typical window bays on all elevations;

- Louvre jointing update to colonnade louvres;
- Lower Ground Floor service yard elevation louvre and door position updated to show a door removed and changed to louvre panels, the replacement of a single door to a glazed door, and erection of a single leaf door instead of a four-leaf substation door;
- Increase in cycle parking from 213 cycle parking spaces to 215 cycle parking spaces; and
- Main pass entrance door moved to the other side of the revolving doors to allow for space for the access control panel.

The above changes are considered to be non material in nature. They will not affect, both individually or cumulatively, the development as a whole. There will be no impact on the visual amenity of the development. The changes either have a neutral impact on the scheme or benefit. d

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 seeks to allow alterations to roof and lift overrun including installation of solar panels, elevational alterations and increase in cycle spaces.

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

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

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) Notwithstanding drawings 10257-SHP-Z0-XX-PL-A-B5D3-G000-001 Rev 02, 10257-SHP-Z0-XX-PL-A-B5D3-G000-002 Rev 02, 10257-SHP-Z0-XX-XP-A-B5D3-G100-001 Rev 02, 10257-SHP-Z1-00-PL-A-B5D3-G100-001 Rev 02, 10257-SHP-Z1-LG-PL-A-B5D3-G100-001 Rev 02, 10257-SHP-Z1-XX-PL-A-B5D3-G100-001 Rev 02 stamped as received by the City Council, as Local Planning Authority, on the 11 April 2022, prior to the first occupation of this development, details of hard and soft landscaping treatments (including tree planting, street tree planting, boundary treatments and appropriate samples of materials of hard landscaping etc) shall be submitted to and approved in writing by the City Council as local planning authority.

(b) The approved scheme shall be implemented prior to the first occupation of the development. 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 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 SP1, EN9 and DM1 of the Core Strategy.

17) The development hereby approved shall be carried out in accordance with site waste management strategy with the design and access statement and drawing 10257-SHP-Z1-LG-PL-A-B5D3-G200-001 Rev 02 stamped as received by the City Council, as Local Planning Authority, on the 11 April 2022. The details shall be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - To ensure adequate refuse arrangement are put in place for the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

23) Prior to the first use of the building, the provision of 212 cycle spaces, as indicated on drawing 10257-SHP-Z1-LG-PL-A-B5D3-G200-001 Rev 02 stamped as received by the City Council, as Local Planning Authority, on the 11 April 2022 shall be implemented and retained and maintained in situ for as long as the development remains in use.

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

24) Prior to the first use of the development hereby approved, the car parking layout, as indicated on drawing 10257-SHP-Z1-LG-PL-A-B5D3-G200-001 Rev 02 stamped as received by the City Council, as Local Planning Authority, on the 11 April 2022 shall be laid out, demarcated and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

Reason - To ensure car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

30) The commercial units, as indicated on drawing 10257-SHP-Z1-00-PL-A-B5D3-G200-001 Rev 02 stamped as received by the City Council, as Local Planning Authority, on the 11 April 2022 can be occupied as A1 (excluding convenience retail), A2, A3, A4, B1 and D2. The first use of each commercial unit to be implemented shall thereafter be the permitted use of that unit and any further change of use may be the subject of the requirement of a new application for planning permission or subject to the requirements of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester.

31) The commercial units as shown on drawing 10257-SHP-Z1-00-PL-A-B5D3-G200-001 Rev 02 stamped as received by the City Council, as Local Planning Authority, on the 11 April 2022, shall remain as separate units and shall not be sub divided or amalgamated without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial units pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1, C5 and SP1 of the Manchester Core Strategy.

34) Prior to the first use each of the commercial units, as indicated on drawing 10257-SHP-Z1-00-PL-A-B5D3-G200-001 Rev 02 stamped as received by the City Council, as Local Planning Authority, on the 11 April 2022, details of the opening hours shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved opening hours shall then become the operating hours for the commercial units.

Reason - In interests of 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.

37) Prior to the first use of each of the commercial units as indicated on drawing 10257-SHP-Z1-00-PL-A-B5D3-G200-001 Rev 02 stamped as received by the City Council, as Local Planning Authority, on the 11 April 2022, details of any roller shutters to the ground floor of the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of each of the commercial units and thereafter retained and maintained in situ.

Reason - To ensure that the roller shutters are appropriate in visual amenity terms pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

39) In the event that any of the commercial units, as indicated on drawing 10257-SHP-Z1-00-PL-A-B5D3-G200-001 Rev 02 stamped as received by the City Council, as Local Planning Authority, on the 11 April 2022 are occupied as an A3 or A4 use, prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority.

These details are as follows:

Management of patrons and control of 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 (other than entrance / egress doors) remain closed after 9pm

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

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.

40) Prior to the first use of each of the ground floor commercial units, as indicated on drawing 10257-SHP-Z1-00-PL-A-B5D3-G200-001 Rev 02 stamped as received by the City Council, as Local Planning Authority, on the 11 April 2022, details of how the commercial units will be acoustically insulated and treated to limit the break out of noise shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include a noise study of the premises and a scheme of acoustic treatment. For the avoidance of doubt, where entertainment noise is proposed the Laeq (entertainment noise) shall be controlled to 10 db below the La90 (without entertainment noise) in each octave band at the façade of the nearest noise sensitive location.

(b) The approved scheme shall be implemented and prior to the first use of each of the commercial units, 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 occupants of the development 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).

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

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: CITY1

Area Team Boundary - Name: NORTH1