MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138245/NMC/2023
Date registered valid:	3 October 2023
Proposal:	Non-Material Amendment to Planning Permission 134307/FO/2022 to amend the wording of Conditions 3 (Approved Plans and Documents), 5 (Piling Method Statement), 10 (Material Samples), 12a (Hard and Soft Landscaping), 17 (Servicing and Waste Management Strategy), 22 (Travel Plan), 23 (Cycle Spaces), 24 (Car Parking Layout), and 26 (EV Charging)
Address:	2 And 3 Angel Square , NOMA Masterplan Plots M And N, Manchester
Ward(s):	Piccadilly Ward
Applicant:	NOMA (GP) Ltd
Agent (if any):	Mr John Cooper Deloitte LLP
Case officer:	Jennifer Atkinson Tel: 0161 234 4517 Email: jennifer.atkinson@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**27 October 2023**

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 0.83 hectares and comprises Plots M and N of the NOMA strategic regeneration Framework 2020. The site is bounded by Rochdale Road/Angel Street and Miller Street. To the east is Angel Mews which provides a north/south pedestrian link and public spaces between the site and Angel Gardens. 1 Angel Square, is to the west beyond Angel Square. The site comprises hardstanding and has been used as surface car parking and includes some trees and shrubs. A temporary marketing suite occupies the southern part of the site on Miller Street.

There are significant level changes across the site with the lowest part of the being in the west corner, rising to the north and east towards Angel Street. The difference is around a storey in height. The site is accessed from Angel Street to the north and from the south off Angel Mews off Miller Street.

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. 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, 2015 and most recently in 2020 and seeks to create a commercially led, mixed use destination covering an area of approximately 20 acres. To date, 807,000 sq ft of

office space has been delivered (457,000 sq ft in the historic estate), with a further 836,000 sq ft on site or in the planning process.

The site is surrounded by a variety of uses and buildings including 1 Angel Square, with homes, public realm and landscaping at Sadler's yard and Angel Meadows.

Planning permission was granted in 2019 at 4 Angel Square for an 11 storey office building which is under construction (123437/FO/2019). The site is close to Manchester Victoria Station and Shudehill interchange.

Planning permission has also previously been granted at the application site for the offices. The most recent permission was granted in 2020 for the erection of an 11 storey building and a 12 storey building to form 39,184 sqm of office accommodation and ancillary commercial spaces (124973/FO/2019). This planning permission remains extant until February 2023.

There is also an earlier planning permission granted on 2015 for a part 10, part 11 and part 12, part 13 storey buildings to form offices and ancillary commercial spaces (109865/FO/2015/N1). This planning permission was never implemented and has now expired.

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

Description of development

Non-Material Amendment to Planning Permission 134307/FO/2022 to amend the wording of Conditions 3 (Approved Plans and Documents), 5 (Piling Method Statement), 10 (Material Samples), 12a (Hard and Soft Landscaping), 17 (Servicing and Waste Management Strategy), 22 (Travel Plan), 23 (Cycle Spaces), 24 (Car Parking Layout), and 26 (EV Charging)

Consultations & Notification Responses

N/A

Issues

The proposed changes to the development are as follows:

2 Angel Square

- Reduction to the floor-to-floor heights of 2 Angel Square of 200 mm per floor between Levels 1 and 12, bringing the total height to 102.6 m.

- Changes in the colouration to the sill to anodic steel bronze aluminium and mid grey GRC underside and updates to the façade panel arrangements;

- Minor updates to the internal configuration including:

    - A reduction of 14 spaces within the cycle store layout at Lower Ground Level to 108 to meet Active Score requirements;
    - At Lower Ground Level, updates to the arrangements of the pump room, changing rooms, internal stair location, and generator. EV charging bays identified, alongside the provision of 3 motorcycle parking bays.

- o At Upper Ground Level, updates to the back-of-house arrangements, internal stair location, function room and support facility layout. Additional door added to Thread Street elevation.
- o At Level 12, the internal wall has been relocated to increase the internal area and the lobby and access area has been updated.
- o At Level 13, the riser and AOV have been relocated to the top of the internal plant level to avoid clashes and the plant screen repositioned. The proposed photovoltaics have been moved to the sloping roof. Balustrade extent at Level 13 has also been reduced. Transom added to the glazing on the southwest elevation.

3 Angel Square

- Reduction to the floor-to-floor heights of 3 Angel Square of 200 mm per floor between Levels 1 and 11. An increase in the height of the plant screen by 900mm brings the total height of 3 Angel Square to 99.7 m. This is a reduction from planning of 1.3m.

- Changes in colouration to the sill to anodic steel bronze aluminium and mid grey GRC underside and updates to the façade panel arrangements;

- Removal of one winter garden on the southwest corner of 3 Angel Square;

- Green wall extent has been indicated on the northeast elevation;

- Minor updates to the internal configuration including:

  - At Lower Ground Level, updates to the car parking and cycle store layout to 131 cycle parking space and 14 car parking spaces. This represents a reduction of 17 cycle parking spaces from the approved scheme to meet Active Score requirements and an increase of 1 car parking spaces;
  - At Lower Ground Level, updates to the arrangements of the pump room, cold water tank and generator, internal stair location and lobby arrangement. Telecoms room also added.
  - At Upper Ground Level, the internal layout has been updated and internal stairs relocated. Single doors replace the double doors on the Miller Street elevation of the piano nobile.
  - At Level 11, the core arrangement has been updated and the external wall to the terrace moved. Structure added to the high-level parapet enclosing the terrace.
  - At Level 12, the internal plant area has been revised. At roof level the riser and AOV vent have been relocated to the top of the internal plant level to avoid clashes.

Landscaping

- Amendments to the landscaping design including:

  - Planters at the interface with Angel Square public realm masterplan have been amended to coordinate with the developed design of the public realm. o Incorporation of ‘stepping stones’ routes developed as part of the Angel Square public realm design development.
  - Planters are proposed to change to rain gardens as part of the developed drainage and attenuation design.
  - Paving design is developed and in coordination with developed proposals for Angel Square public realm.

- Design of terraces and water feature is simplified and further developed. o Layout of Thread Street and the service yard has been developed, planting area is extended to provide screening to the service year and the corner focal point. Also to improve gradients to vehicle ramp.
- Minor adjustments are proposed to layout of planters at interface with Angel Square service road. o Angel Street footway is developed to ensure levels coordination to tie into the existing carriageway.
- Planting area is introduced to take up the level change at the junction with Miller Street.

The proposal would also result in changes to conditions 5 and 10 to alter the riggers for compliance of the conditions.

The proposed amendments have been designed to ensure that the design and appearance of 2 and 3 Angel Square remain in line with the planning permission.

The building façade pattern shifts at every floor providing a balance of solid and glass to meet differing environmental performance requirements and to create interest, internally and externally and promote visual engagement.

The gradation and finish of the cladding which has been slightly re-arranged, but follows the same façade approach to ensure the terracotta elements will be read as the primary façade element. The 'middle' typical office floors have been reduced by 200mm on each floor. The floor-to-floor heights at 3.8m ensures that the internal floor to ceiling heights remain generous.

The primary driver for the reduction in building height has been the omission of unnecessary additional building fabric and volume. The Applicant has set stringent embodied and operational carbon targets for 2 and 3 Angel Square to deliver a highly sustainable development to Manchester City Centre. All areas of design have been assessed to improve on these, whilst maintaining architectural quality.

Consideration has been given to the impact on the Environmental Standards of the building.

For 2 Angel Square a decrease of 5% overall carbon intensity of the building per floor if the height is reduced by 200 mm each floor and a total 9kgCO2e/m2.

For 3 Angel Square this is a decrease of 6% overall carbon intensity and a total of 9kgCO2e/m2.

It also creates a reduction in total building emissions during operation for both buildings.

The changes are considered to be non material in nature and do not materially effect the external façade and architecture of the building. The amendments enable significant reductions to the building's embodied carbon content.

Transport and parking

The proposed amendments represent a reduced level of cycle parking, it is considered acceptable as a wider range of cycle parking types is proposed (including storage for large recumbent bikes, single level 'Sheffield Stand', folding bike lockers as well as electric bicycle battery charging facilities), which meet the requirements of the Active Score certification. The proposed revised internal arrangement at Lower Ground Floor leads to the removal of 1no. car parking space in 2 Angel Square. This reduction in carparking space is acceptable.

Waste Management and Servicing

The proposed amendment are acceptable and within the guidance.

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 polices 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 to amend the wording of Conditions 3 (Approved Plans and Documents), 5 (Piling Method Statement), 10 (Material Samples), 12a (Hard and Soft Landscaping), 17 (Servicing and Waste Management Strategy), 22 (Travel Plan), 23 (Cycle Spaces), 24 (Car Parking Layout), and 26 (EV Charging)

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

AS-CPA-P2-00-DR-A-0200-P05, AS-CPA-P2-01-DR-A-0201-P06, AS-CPA-P2-06-DR-A-0206-P05, AS-CPA-P2-13-DR-A-0213-P06, AS-CPA-P2-14-DR-A-0214-P06, AS-CPA-P2-ZZ-DR-A-0600-P05, AS-CPA-P2-ZZ-DR-A-0601-P05, AS-CPA-P2-ZZ-DR-A-0602-P04, AS-CPA-P2-ZZ-DR-A-0603-P05, AS-CPA-P2-ZZ-DR-A-0700-P05, AS-CPA-P2-ZZ-DR-A-0701-P05, AS-CPA-P2-ZZ-SH-A-0120-P04, AS-CPA-P3-00-DR-A-0200-P04, AS-CPA-P3-01-DR-A-0201-P05, AS-

CPA-P3-06-DR-A-0206-P04, AS-CPA-P3-12-DR-A-0212-P05, AS-CPA-P3-13-DR-A-0213-P05, AS-CPA-P3-ZZ-DR-A-0600-P05, AS-CPA-P3-ZZ-DR-A-0601-P05, AS-CPA-P3-ZZ-DR-A-0602-P05, AS-CPA-P3-ZZ-DR-A-0603-P05, AS-CPA-P3-ZZ-DR-A-0700-P05, AS-CPA-P3-ZZ-DR-A-0701-P05, AS-CPA-P3-ZZ-SH-A-0120-P04, 2190.1-PLA-XX-XX-DR-L-1000-P03, 2190.1-PLA-XX-XX-DR-L-1001-P05, 2190.1-PLA-XX-XX-DR-L-2000-P04, 2190.1-PLA-XX-XX-DR-L-3000-P03, 2190.1-PLA-XX-XX-DR-L-3001-P05 and 2190.1-PLA-XX-XX-DR-L-3002-P01 recieved by the City Council, as Local Planning Authority, on the 3 October 2023

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.

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.

5) No piling activities shall commence until details of the method for piling, or any other foundation design using penetrative methods, have been submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details shall then be implemented during the construction of the development.

Reason - Piling or any other foundation using penetrative methods can result in risks to potable supplies (pollution/turbidity, risk of mobilising contamination) drilling through different aquifers and creating preferential pathways. It is therefore necessary to demonstrate that piling will not result in contamination of groundwater pursuant to policies SP1, EN17 and EN18 of the Manchester Core Strategy (2012).

10) Prior to any above ground works of a phase of the development, all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples (including a panel) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, window reveals and soffits, details of the drips to be used to prevent staining in, ventilation/air brick and a strategy for quality control management.

The approved materials shall then be implemented as part of the development.

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.

12) (a) Notwithstanding drawings 2190.1-PLA-XX-XX-DR-L1000-P03, 2190.1-PLA-XX-XX-DR-L-1001-P05, PL2190.1- PLA-XX-XX-DR-L-1002 REV P01, 2190.1-PLA-XX-XX-DR-L2000-P04, 2190.1-PLA-XX-XX-DR-L-3000-P03, 2190.1-PLA-XX-XX-DR-L-3001-P05 and 2190.1-PLA-XX-XX-DR-L3002-P01 stamped as received by the City Council, as Local Planning Authority, on the 3 October 2023, prior to the first use of a phase of this development, details of hard and soft landscaping treatments (including tree planting, street tree planting, boundary
treatments (including temporary 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 Servicing and Waste Management Strategy prepared by Curtins stamped as received by the City Council, as Local Planning Authority, on the 3 October 2023. 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.

22) The development shall be carried out in accordance with the interim travel plan stamped as received by the City
Council, as Local Planning Authority, on the 3 October 2023. In this condition a Travel Plan means a document which includes:

i) the measures proposed to be taken to reduce dependency on the private car by those working at the development;
ii) a commitment to surveying the travel patterns of staff during the first three months of the first use of the building 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

Within six months of the first occupation of the building, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval 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 for occupants, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

23) Prior to the first use of a phase of development, the provision of cycle spaces, as indicated on drawings ASCPA-P2-00-DR-A-0200-P05 and AS-CPA-P3-00-DR-A0200-P04 stamped as received by the City Council, as Local Planning Authority, on the 3 October 2023 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 a phase of the development hereby approved, the car parking layout, as indicated on drawings AS-CPA-P2-00-DR-A-0200-P05 and AS-CPA-P3-00-DR-A-0200-P04

stamped as received by the City Council, as Local Planning Authority, on the 28 September 2023 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).

26) Prior to the first use of a phase of the development, details of the amount, location and specification of
electric car charging points car parking spaces, as indicated on drawings AS-CPA-P2-00-DR-A-0200-P05 and AS-CPA-P3-00-DR-A-0200-P04 stamped as received by the City Council, as Local Planning Authority, on the 3 October 2023, for that phase shall be submitted for
approval in writing by the City Council, as Local Planning Authority.

The approved scheme for that phase shall be implemented prior to the first use of the development and made available and thereafter retained for as long as the development is in place.

Reason - In the interest of promoting alternatives and minimising the impact of the development on air quality pursuant to policies EN16 of the Manchester Core Strategy (2012).

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 - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: CENTRAL