

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
134307/FO/2022	15 Jul 2022	22 Sep 2022	Piccadilly Ward

**Proposal** Erection of 2 Angel Square, a 14 storey building (excluding roof top plant) to form a mixed use office development (Use Class Egi) with two flexible commercial units at Upper Ground floor Level (Use Classes Ea, b, c, e, f, and / or Use Class Sui Generis (p) and (q)), and with a flexible office (Use Class Egi) and/or restaurant (Use Class Eb) space at Level 12, along with Lower Ground Level car and cycle parking, hard and soft landscaping and other associated works;

Erection of 3 Angel Square, a 13 storey building (excluding roof top plant) to form a mixed use office development (Use Class Egi) with two flexible commercial units provided over Lower and Upper Ground Floor Levels (Use Classes Ea, b, c, e, f, and / or Use Class Sui Generis (p) and (q)), a further flexible commercial unit at Upper Ground Floor Level only allowing for ancillary seminar space and / or Sui Generis Use Class (t) Cinema space, together with an ancillary gym space at Upper Ground Floor, as well as Lower Ground Level car and cycle parking, hard and soft landscaping and other associated works.

**Location** Land Bounded By Angel Street, Miller Street And Angel Square Known As Plots M And N, Manchester

**Applicant** NOMA (GP) Ltd, C/o Agent

**Agent** Miss Jennifer Chatfield, Deloitte LLP, The Hanover Building, Corporation Street, Manchester, M4 4AH

## EXECUTIVE SUMMARY

The proposal would create 44,525 sqm of Grade A office space in two building of 13 and 14 storeys, with significant areas of public realm as part of NOMA.

There has been one neutral comment and four objections.

## Key Issues

**Principle of the proposal and the schemes contribution to regeneration** The development is in accordance with national and local planning policies, and would deliver significant economic, social and environmental benefits. This is a previously developed brownfield site used for parking, located in a highly sustainable location close to public transport and walking and cycling routes. It accords with NOMA Strategic Regeneration Framework and Masterplan. The offices would be Grade A with high levels of sustainability, being low carbon with measures to manage surface water drainage and improve biodiversity.

**Economic** There is continuing growing demand for high quality office space which is crucial for economic growth and a successful and thriving economy. There would be

a significant contribution to highway, pedestrian and cycle improvements. 400 construction jobs would be created together with 4400 permanent jobs when the offices become operational.

**Social** A local labour agreement would ensure that Manchester residents are prioritised for construction jobs. Public realm with linkages and green spaces would benefit residents and visitors.

**Environmental** This would be a low carbon development in a highly sustainable location. The development should achieve BREEAM Excellent, NABERS 5 star rating and be low carbon with all electric systems. The development would have parking spaces fitted with electric charging points and 6 accessible parking spaces. The travel plan would encourage residents to walk, cycle and use public transport. The public realm, green spaces and linkages would create an attractive place. The trees and planting would improve biodiversity and create wildlife habitats. Surface water risks would be managed through green and blue infrastructure such as rain gardens which would attenuate the water at source. The site is contaminated but the conditions are not unusual and do not present a risk to human health or the environment on the basis of an appropriate remediation strategy

The height, scale and appearance would contribute positively to the area and the development would be safe and secure. Waste management would prioritise recycling to minimise the amount of waste going to landfill.

**Impact on the historic environment** Any harm to heritage assets would be less than substantial and would be outweighed by the economic, social and environmental public benefits of the scheme, in accordance with the provisions of paragraphs 193, 194 and 196 of the NPPF and section 72 of the of the Planning (Listed Building and Conservation Areas) Act 1990.

**Impact on local residents** The impact on daylight/sunlight, overlooking, air quality, tv reception, noise and disturbance and wind conditions would be acceptable in this context. Construction impacts would not be significant and can be managed. Noise outbreak from plant would meet relevant standards and the operational impacts of the accommodation can be managed.

A full report is attached below for Members consideration.

## **Description**

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.

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.

## **The Proposal**

The application proposes a 44,525 sq m Grade A offices in two buildings. There would be 1663 sqm of commercial space (Class E and Sui Generis) including potential for a level 12 restaurant. The development would be highly sustainable and achieve BREEAM "Excellent", NABERS 5 Star, FITWEL and Smart Tech enabled and have an A EPC rating.

2 Angel Square would be 14 storeys, and front Miller Street, whilst 3 Angel Square would be 13 storeys and front Angel Street. The lower ground floors would include entrances lobbys and car and cycle parking with changing facilities and plant. 2 Angel Square would include two commercial units with external seating area. 3 Angel Square would include a gym and two commercial units and external seating with flexible office space and/or Cinema (Sui Generis).



### ***Layout of the site***

The design of the buildings would complement one another whilst having their own distinct identity. 2 Angel Square would have red terracotta tiles and number 3 Angel Square blue. Their base would be Yorkstone. 30 parking spaces and 270 cycle spaces would be created in the two buildings with changing and shower facilities.

The landscaping would be integrated into NOMA and with wider improvement works being the subject of a separate application. The level changes would be dealt with through steps, terraces and pocket gardens with trees, planting and water features. The space would be accessible through an external lift from the lower ground floor level to the upper ground floor level plinth.



## 5.11 Visuals



### ***Visualisation of the development***

### **The Planning Submission**

This application is supported by the following information:

- Design and Access statement;
- Landscape Design and Access statement;
- Statement of Consultation;
- Heritage and Visual Impact Assessment;
- Environmental Standards Statement;
- Energy Statement;
- BREEAM Pre-Assessment;
- Noise and Vibration Assessment;
- Ground Engineering Desk Study Report;
- Archaeological Desk Based Assessment (August 2019);
- Archaeological Excavation Report (October 2021);
- Aviation Safety Assessment;
- Underground Utilities Map;
- Television Baseline Survey;
- Ecological Survey and Assessment;
- Arboricultural Impact Assessment;
- Local Labour Agreement;
- Crime Impact Statement;
- Ventilation Strategy;
- Servicing and Waste Management Strategy;

- Flood Risk Assessment;
- Drainage Strategy;
- Operational Management Strategy;
- Transport Statement;
- Framework Travel Plan;
- Air Quality Assessment;
- Outline Construction Management Plan.

The application is also the subject of an Environmental Statement which includes the following chapters:

- Construction Methodology and Phasing;
- Sunlight and Daylight Assessment;
- Wind Microclimate Assessment;
- Cumulative Effects.

## **Consultations**

The proposal has been advertised as a major development, EIA Development, of public interest and affecting the setting of a conservation area and a listed buildings. Site notices were displayed. Notification letters were sent to residents and businesses and the following representations have been received.

A neutral comment is in favour but can't understand why developers need to build on all the site. A large basement should be provided for both plots and only building on the north side of plot 2 with a 29 storey tower. On the rest of the site a park could be created. Green space is required in the city centre given the amount of people and families moving in.

Four objections can be summarised as follows:

- The development would compromise privacy and look into flats on Simpson Street;
- Unclear why there are plans to building more offices where there are already numerous office sites across Manchester that lie empty. The site should continue to operate as a car park or green space (which are in short supply);
- The design of the buildings are of poor architectural merit and uncomfortably impacts upon 1 Angel Square, Angel Gardens, The Linx Building and Grade II Listed CIS Buildings;
- The height of the buildings has increased significantly since their original conception and are now 14 storeys directly overlooking 6 storey apartments;
- It is not clear how loss of light would be dealt with on adjacent accommodation;
- The amount of public realm has been severely compromised and represents disjointed verges and scant tree planting;
- There is not a satisfactory construction management plan in place. All deliveries must be to Miller Street with no construction traffic through Angel Street. Angel Street is residential and construction vehicles using this road are a nuisance. Miller Street is commercial and therefore more suitable for construction traffic;

- The working hours must be 08:30 to 18:00 Monday to Friday. Residents in the area work from home;
- There are no S106 payments. There should be a contribution to Angel Meadow and Urban tree planting;
- Historical applications have been made on this site and each time the developer has allowed the timescale to expire and then submit a further application for more height;
- The building heights do not fit into the area and are higher than other building heights;
- Concern that commercial units at the development would remain vacant as others are in the area;
- The area is a busy thoroughfare for cars and pedestrians and this development would generate noise and traffic.

**Highway Services** Traffic movements could be absorbed in the network. A construction management plan is required and The travel plan framework should be developed into a full travel plan when the development is occupied. A servicing plan should be agreed.

**Environmental Health** the waste management strategy is acceptable. The operating hours for the ground floor commercial uses should be agreed and details of fume extraction and acoustic insulation. Details of plant should be agreed by condition. Deliveries should be restricted to 07:30 to 20:00 Monday to Saturday and 10:00 to 18:00 on Sundays. Details of the lighting should be agreed. The measures in the air quality report should be implemented. Further ground conditions details are required.

**Flood Risk Management** details of a surface water drainage scheme and a management regime and verification report are required.

**Works and Skills Team** recommend a condition requiring a local labour scheme.

**Environment Agency** ground investigations are required to ensure no pollution of ground water and details of piling.

**Greater Manchester Archaeological Advisory Service (GMAAS)** the site lies immediately to the west of the site of Manchester first steam powered cotton mill and the site forms part of the former reservoir of the mill. There has been previous archaeological excavation but were not of sufficient depth to identify the remains. A condition is required to require further archaeological investigations.

**Aerodrome Safeguarding at Manchester Airport** have no objections subject to an informative in relation to cranes.

**Historic England** have no comments.

## **The Development Plan**

The Development Plan consists of: The Manchester Core Strategy (2012); and Saved policies of the Unitary Development Plan for the City of Manchester (1995).

The Core Strategy is the key document and sets out the long-term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved. Planning applications in Manchester must be decided in accordance with the Core Strategy and saved UDP policies as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 unless material considerations indicate otherwise.

### **Manchester Core Strategy Development Plan Document (July 2012)**

The relevant policies within the Core Strategy are as follows:

#### **Strategic Spatial Objectives**

The Core Strategy contains a number of Strategic Spatial Objectives that form the basis of the policies contained therein, as follows:

**SO1. Spatial Principles** this is a highly accessible location and development here would reduce the need to travel by private car and support the sustainable development of the City and help to halt climate change.

**SO2. Economy** The scheme would provide new jobs during construction and permanent employment and facilities in a highly accessible location. The employment would support the City's economic performance, reduce economic, environmental and social disparities, and help to create inclusive sustainable communities.

**SO5. Transport** The development would be highly accessible, reduce the need to travel by private car and make use public transport effectively. Sustainable transport networks would improve physical connectivity and enhance the functioning and competitiveness of the city and provide access to jobs, education, services, retail, leisure and recreation.

**SO6. Environment** The development would seek to protect and enhance the natural and built environment and ensure the sustainable use of natural resources to: mitigate and adapt to climate change; support biodiversity and wildlife; improve air, water and land quality; and, ensure that the City is inclusive and attractive to residents, workers, investors and visitors.

**Policy SP 1 (Spatial Principles)** - The proposal would have a positive impact on visual amenity and the character of the area in a strategic regeneration area. The buildings would be high quality and complement existing and recent developments.

**Policy EC1 (Land for Employment and Economic Development)** – The proposal would develop a highly accessible site in a key location for employment growth. It would help to spread the benefits of growth across the City and thereby help to reduce economic, environmental and social disparities and help to create an inclusive sustainable community. The site is well connected to transport infrastructure and would encourage walking, cycling and public transport use.

The City Centre is a key location for major employment growth and the proposal would create jobs during construction and in operation. The design would use the site efficiently and enhance the sense of place in the wider area. It would provide users and employees with access to a range of transport modes and create a safer place by reducing opportunities for crime.

**Policy EC3 (The Regional Centre)** – The development would be in an appropriate location with excellent sustainable transport facilities nearby. The scale and type of development would not undermine delivery of employment space elsewhere.

**Policy CC1 (Primary Economic Development Focus (City Centre and Fringe))** – This would be a high quality development providing offices in a part of the City Centre identified in Policy CC1 as a focus for primary economic development.

**Policy CC5 (Transport)** - The proposal would contribute to improving air quality by being accessible by a variety of modes of sustainable transport.

**Policy CC6 (City Centre High Density Development)** - The proposals would be a high density development and maximise the efficient use of land available within the challenging constraints of the site.

**Policy CC7 (Mixed Use Development)** – The proposal would create an active ground floor with the potential for class E uses.

**Policy CC8 (Change and Renewal)** – Jobs would be created during construction.

**Policy CC9 (Design and Heritage)** - The design would be high quality. Its impact on the settings of nearby listed buildings and conservation areas is discussed in more detail in the report.

**Policy CC10 (A Place for Everyone)** – The proposals would complement the ongoing wider regeneration of NOMA and would be fully accessible.

**Policy T1 (Sustainable Transport)** – The proposal would encourage modal shift away from car travel to more sustainable alternatives and include improvements to pedestrian routes and the pedestrian environment which would prioritise pedestrian and disabled people, cyclists and public transport.

**Policy T2 (Accessible Areas of Opportunity and Need)** – The proposal would be accessible by a variety of sustainable transport modes and would help to connect residents to jobs, local facilities and open space.

**Policy EN1 (Design Principles and Strategic Character Areas)** - The high quality design would enhance the character of the adjacent conservation area and the image of Manchester. The design responds positively at street level and would enhance permeability. The positive aspects of the design are discussed in more detail below.

**Policy (EN3 Heritage)** – The impact on the settings of the nearby listed buildings and conservation areas is discussed in more detail later in the report.

**Policy EN6** The development would comply with the target framework for CO2 reductions from low or zero carbon energy supplies. An Energy Statement sets out how it would comply with this policy.

**Policy EN8 (Adaptation to Climate Change)** – A BREEAM Assessment and Sustainability Report, identifies measures that will ensure that the development would reach a target rating of “Excellent”.

**Policy EN15 (Biodiversity and Geological Conservation)** – The site is not high quality in ecology terms and biodiversity enhancements are proposed.

**Policy EN16 (Air Quality)** - The proposal would be highly accessible by all forms of public transport and reduce reliance on cars and minimise emissions from traffic generated by the development. The proposal would not compromise air quality. Car parking levels would be low, cycling is encouraged and electric car charging provided. Dust suppressions measures will be used during construction.

**Policy EN17 (Water Quality)** – An assessment of the site’s ground and groundwater conditions shows the proposal would be unlikely to cause contamination to surface watercourses and the impact on water quality can be controlled by a condition.

**Policy EN18 (Contaminated Land and Ground Stability)** - A desk study identifies possible risks arising from ground contamination and, as under Policy EN17 above, the impact could be controlled through a condition.

**Policy EN19 (Waste)** - The development would be consistent with the principles of waste hierarchy. A Waste Management Strategy sets out how waste production would be minimised during construction and operation. The onsite management team will ensure the various waste streams are appropriately managed.

**Policy DM1 (Development Management)** – Careful consideration has been given to the design, scale and layout of the building along with associated impacts on amenity.

These issues are considered full, later in this report.

### **The Unitary Development Plan for the City of Manchester (1995)**

The Unitary Development Plan for the City of Manchester was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. There are some saved policies which are considered relevant and material and therefore have been given due weight in the consideration of this planning application. The relevant policies are as follows:

**Saved Policy DC18.1 Conservation Areas** – The proposal would maintain the character and appearance of the adjacent conservation area. This is discussed in more detail later in the report.



**Saved Policy DC19.1 Listed Buildings** – The proposal would have an impact on the settings of the nearby listed buildings. This is discussed in more detail later in the report.

**Saved Policy DC20 Archaeology** – An archaeological desk based assessment concludes that the development would not have an impact on any significant remains.

**Saved Policy DC26.1 and DC26.5 Development and Noise** – The application is supported by acoustic assessments and it is considered that the proposal would not have a detrimental impact on the amenity of surrounding occupiers through noise. This is discussed in more detail later on in this report.

**Saved policy E3.3** states that the Council will upgrade the appearance of the City's major radial and orbital roads and rail routes. This will include improvements to the appearance of adjacent premises; encouraging new development of the highest quality; and ensuring that landscape schemes are designed to minimise litter problems. The IIR significant road route in the City. This proposal provides a building of the highest quality design which will provide new homes for this part of the City.

#### **Other material policy considerations**

#### **The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (Adopted 2007)**

This document provides guidance to help develop and enhance Manchester. In particular, the SPD seeks appropriate design, quality of public realm, facilities for disabled people (in accordance with Design for Access 2), pedestrians and cyclists. It also promotes a safer environment through Secured by Design principles, appropriate waste management measures and environmental sustainability. Sections of relevance are:

- Chapter 2 ‘Design’ – outlines the City Council’s expectations that all new developments should have a high standard of design making a positive contribution to the City’s environment;
- Paragraph 2.7 states that encouragement for “the most appropriate form of development to enliven neighbourhoods and sustain local facilities. The layout of the scheme and the design, scale, massing and orientation of its buildings should achieve a unified form which blends in with, and links to, adjacent areas.
- Paragraph 2.8 suggests that in areas of significant change or regeneration, the future role of the area will determine the character and design of both new development and open spaces. It will be important to ensure that the development of new buildings and surrounding landscape relates well to, and helps to enhance, areas that are likely to be retained and contribute to the creation of a positive identity.
- Paragraph 2.14 advises that new development should have an appropriate height having regard to the location, character of the area and

specific site circumstances. Although a street can successfully accommodate buildings of differing heights, extremes should be avoided unless they provide landmarks of the highest quality and are in appropriate locations.

- Paragraph 2.17 states that vistas enable people to locate key buildings and to move confidently between different parts of the neighbourhood or from one area to another. The primary face of buildings should lead the eye along important vistas. Views to important buildings, spaces and landmarks, should be promoted in new developments and enhanced by alterations to existing buildings where the opportunity arises.

- Chapter 8 ‘Community Safety and Crime Prevention’ – The aim of this chapter is to ensure that developments design out crime and adopt the standards of Secured by Design;

- Chapter 11 ‘The City’s Character Areas’ – the aim of this chapter is to ensure that new developments fit comfortably into, and enhance the character of an area of the City, particularly adding to and enhancing the sense of place.

## **Manchester Green and Blue Infrastructure Strategy 2015**

The Manchester Green and Blue Infrastructure Strategy (G&BIS) sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is:

By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Four objectives have been established to enable the vision to be achieved:

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth
3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond

4. Improve and promote a wider understanding and awareness of the benefits that green and blue infrastructure provides to residents, the economy and the local environment.

### **NOMA regeneration framework (2020)**

This regeneration framework covers the 20 acres of land surrounding the Cooperative headquarters. This considered in detail how the Cooperative group, together with the City Council, could achieve a new high quality City Centre district together with other long term strategies for the area.

The application site is located within the 'major office zone' where it is anticipated to offer large office floorplates which are limited in the city centre. This area can also take advantage of the proximity to the major transport hubs of Victoria and Shudehill.

The creation of a Grade A office cluster characterised by large floorplates (15,000+ sq ft) and high quality specification will be encouraged. With access to new public realm and existing parkland areas, supported by a new utilities network wholly powered by green energy, connected to a range of transportation and access options, while also linked to the core of the City Centre and the dynamic refurbished Listed Estate, this area will offer a unique combination of attractions. The Major Office Zone will therefore provide a new option into the Manchester and UK market, with a combination of assets and attractions not delivered anywhere else in the city.

### **Lower Irk Valley – Neighbourhood Development Framework (January 2016)**

The development framework has been prepared in order to help guide future development in the areas as part of establishing new development and supporting public realm, highways and other infrastructure as part of a residential led neighbourhood.

The framework establishes core principles that seek to complement adjoining regeneration areas and coordinate with the principles established within the frameworks of these areas. The idea of connectivity from the City Centre and NOMA to areas and existing communities of Collyhurst in the north together with New Cross to the east and Angel Meadow to the south is vitally important as part of improving connections, new development and high quality public realm.

### **City Centre Strategic Plan 2015-2018 (March 2016)**

On the 2 March 2016 the City Council's Executive approved the City Centre Strategic Plan which seeks to provide an up-to-date vision for the City Centre within the current economic and strategic context along with outlining the key priorities for the next few years for each City Centre neighbourhood. This document seeks to align itself with the Manchester Strategy (January 2016) along with the Greater Manchester Strategy. Overall the City Centre plan seeks to *"shape the activity that will ensure that the City Centre continues to consolidate its role as a major economic and cultural asset for Greater Manchester and the north of England"*.

### **Manchester Strategy (January 2016)**

The strategy sets the long term vision for Manchester's future and how this will be achieved. An important aspect of this strategy is the City Centre and how it will be a key driver of economic growth and a major employment centre. Furthermore, increasing the centre for residential is fundamental along with creating a major visitor destination.

### **National Planning Policy Framework (2021)**

The revised NPPF re-issued in February 2021. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). In order to achieve sustainable development, the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

Section 6 'Building a Strong, Competitive Economy' states that Planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (para 81).

The proposal would bring 44, 525 sqm of grade A office space to the site and create up to 4000 new permanent jobs.

Section 8 'Promoting Healthy and Safe Communities' states that planning policies and decisions should aim to achieve healthy, inclusive and safe places (para 92).

The proposal would be safe and secure. Cycle parking is provided along with disabled car parking only. New public realm and green infrastructure would be provided. 100 car parking spaces would be removed from the site reducing the number of trips on the highway network and on local air quality conditions.

Section 9 'Promoting Sustainable Transport' states that 'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health' (para 105).

In assessing applications for development, it should be ensured that: appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; safe and suitable access to the site can be achieved for all users; and, the design of streets, parking areas, other transport elements and the content of associated standards reflects national guidance including the National Design Guide and National Model Design Code; any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree (paragraph 110).

Developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 111).

Within this context, applications for development should: give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; address the needs of people with disabilities and reduced mobility in relation to all modes of transport; create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; allow for the efficient delivery of goods, and access by service and emergency vehicles; and, be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. (paragraph 112)

All developments that generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed (paragraph 113).

The site is well connected to all public transport modes which would encourage sustainable travel. There would be no unduly harmful impacts on the traffic network with physical and operational measures to promote non car travel. A travel would be secured as part of the conditions of the approval.

Section 11 'Making effective use of land' states that 'planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions' (paragraph 119).

Planning decisions should: encourage multiple benefits from urban land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation; recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production; give substantial weight to the value of using suitable brownfield land within settlements for identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively; and, support opportunities to use airspace above existing residential and commercial premises for new homes. (paragraph 120)

Local Planning Authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specified purpose in plans, where this would help to meet identified development needs. In particular they should support proposal to: use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic

sectors or site or the vitality and viability of town centres, and would be compatible with other policies in the Framework; make more effective use of sites that provide community services such as schools and hospitals (paragraph 123)

Planning policies and decisions should support development that makes efficient use of land, taking into account: the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; local market conditions and viability; the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; the important of securing well designed, attractive and healthy spaces (paragraph 124).

The proposal would re-use a brownfield site currently used for temporary surface car parking. The scale and density of the proposal is considered to be acceptable and represents an efficient use of land. The commercial and office spaces would meet known regeneration requirements in the area. The site is close to sustainable transport infrastructure. A travel plan would encourage the use of public transport, walking and cycle routes to the site.

This would have a limited amount of car parking including disabled parking, reducing car journeys from the site.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interest throughout the process' (paragraph 126).

Planning decisions should ensure that developments: will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public spaces) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience (paragraph 130).



Trees make an important contribution to the character and quality of urban environments and can also help to mitigate and adapt to climate change. Planning decisions should ensure that new streets are tree lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to ensure the long term maintenance of newly placed trees and that existing trees are retained wherever possible (paragraph 131).

Development that is not well designed should be refused, specifically where it fails to reflect local design policies and government guidance on design. Conversely, significant weight should be given to: development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or outstanding or innovative design which promotes high levels of sustainability, or help raise the standard of design more generally in an area so long as they fit in with the overall form and layout of their surroundings (paragraph 134).

The design would be high quality and complement the distinctive architecture within the area. The buildings would be sustainable and low carbon. Biodiversity, green infrastructure and water management measures are included within the public realm.

Section 14 'Meeting the challenge of climate change, flooding and coastal change' states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (para 152).

New development should be planned for in ways that: avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards (paragraph 154).

In determining planning applications, Local Planning Authorities should expect new development to: comply with any development plan policies on local requirements of decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption (paragraph 157).

The buildings fabric would be highly efficient and it would predominately use electricity. The landscaping scheme would include trees and planting. Efficient drainage systems would manage water at the site.

Section 15 'Conserving and Enhancing the natural environment' states that planning decisions should contribute and enhance the natural and local environment by

protecting valued landscapes, minimising impacts on and providing net gains for biodiversity, preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability and remediating contaminated land.

High performing fabric would ensure no unduly harmful noise outbreak on the local area. Biodiversity improvements include trees and landscaping which is a significant improvement based on the current condition of the site.

Paragraph 183 outlines that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination. There is contamination at the site from its former uses. The ground conditions are not usual or complex and can be appropriately remediated.

Paragraph 185 outlines that decisions should ensure that no development is appropriate for its location taking into account the likely effects of pollution in health, living conditions and the natural environment. There would be some short term noise impacts associated with construction but these can be managed to avoid any unduly harmful impacts on amenity. There are no noise or lighting implications associated with the operation of the development.

Paragraph 186 states that decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. The proposal would not worsen local air quality conditions and suitable mitigation can be put in place during construction. There would be a removal of 192 car parking spaces at the site together with a travel plan and access to public transport encouraging alternative travel choices.

Section 16 'Conserving and enhancing the historic environment' states that in determining applications, Local Planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation (para 194).

In determining applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new

development making a positive contribution to local character and distinctiveness. (Paragraph 197)

In considering the impacts of proposals, paragraph 199 states that the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 203).

The proposal would result in a degree of harm to the heritage assets. This is considered in detail in the report.

Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

### **Planning Policy Guidance (PPG)**

The relevant sections of the PPG are as follows:

*Air Quality* provides guidance on how this should be considered for new developments. Paragraph 8 states that mitigation options where necessary will be locationally specific, will depend on the proposed development and should be proportionate to the likely impact. It is important therefore that local planning authorities work with applicants to consider appropriate mitigation so as to ensure the new development is appropriate for its location and unacceptable risks are prevented. Planning conditions and obligations can be used to secure mitigation where the relevant tests are met.

Examples of mitigation include:

- the design and layout of development to increase separation distances from sources of air pollution;
- using green infrastructure, in particular trees, to absorb dust and other pollutants;
- means of ventilation;
- promoting infrastructure to promote modes of transport with low impact on air quality;
- controlling dust and emissions from construction, operation and demolition; and
- contributing funding to measures, including those identified in air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development.

*Noise* states that 'Local planning authorities' should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

*Design* states that where appropriate the following should be considered:

- layout – the way in which buildings and spaces relate to each other
- form – the shape of buildings
- scale – the size of buildings
- detailing – the important smaller elements of building and spaces
- materials – what a building is made from

*Health and well being* states opportunities for healthy lifestyles have been considered (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces and opportunities for play, sport and recreation);

*Travel Plans, Transport Assessments in decision taking states that applications can positively contribute to:*

- encouraging sustainable travel;
- lessening traffic generation and its detrimental impacts;
- reducing carbon emissions and climate impacts;
- creating accessible, connected, inclusive communities;
- improving health outcomes and quality of life;
- improving road safety; and
- reducing the need for new development to increase existing road capacity or provide new roads.

*Heritage states that Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the Proposed Development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit."*

Public benefits may also include heritage benefits, such as:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting;
- Reducing or removing risks to a heritage asset;
- Securing the optimum viable use of a heritage asset in support of its long-term conservation.

### **Other legislative requirements**

Section 66 Listed Building Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and case law has considerable importance and weight should be given to any impact upon a designated heritage asset but in particular upon the desirability of preserving the setting with a strong presumption to preserve the asset.

S149 (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.

**Environmental Impact Assessment** The applicant has submitted an Environmental Statement in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 and has considered the following topic areas:

- Construction Methodology and Phasing;
- Sunlight and Daylight Assessment;
- Wind Microclimate Assessment;
- Cumulative Effects.

The Proposed Development is an “Infrastructure Project” (Schedule 2, 10 (b)) as described in the EIA Regulations. An EIA has been undertaken covering the topic areas above as there are judged to be significant environmental impacts as a result of the development and its change from the current use of the site as a car park.

The EIA has been carried out on the basis that the proposal could give rise to significant environmental effects.

In accordance with the EIA Regulations, this ES sets out the following information:

- A description of the proposal comprising information about its nature, size and scale;
- The data necessary to identify and assess the main effects that the proposal is likely to have on the environment;
- A description of the likely significant effects, direct and indirect on the environment, explained by reference to the proposals possible impact on human beings, water, air, climate, cultural heritage, townscape and the interaction between any of the foregoing material assets;
- Where significant adverse effects are identified with respect to any of the foregoing, mitigation measures have been proposed in order to avoid, reduce or remedy those effects; and
- Summary, in non-technical language, of the information specified above.

It is considered that the environmental statement has provided the Local Planning Authority with sufficient information to understand the likely environmental effects of the proposals and any required mitigation.

## **Conservation Area Designations**

### **Shudehill Conservation Area Declaration**

The Shudehill conservation area is bounded by Hanover Street, Riga Street, Mayes Street, Shudehill, Withy Grove and Corporation Street. It also includes a building on the north side of Hanover Street, fronting Corporation Street.

The west side of the conservation area is composed of large buildings constructed during the 20th century. These line the east side of Corporation Street and turn the corner up Withy Grove. The older, smaller scale properties which survive today are situated to the east side of the conservation area.

The small-scale commercial premises on Shudehill and Withy Grove date from the 18th century. The conservation area is dominated by the buildings associated with the Cooperative estate. The main building, built between 1905 and 1906 lies on Corporation Street between Balloon Street and Hanover Street. There are other



buildings in the vicinity which display the development of commercial architecture through the 20th century. The CIS building is immediately outside but adjacent to the conservation area.

### **Smithfield Conservation Area Declaration**

Historically, the predominant building type was food markets. Few of these are still standing, and those that are have been converted to other uses. Principal amongst them is the retail fish market, which is now the craft village. This building, significant among indoor markets, was an extension to the original retail fish market constructed during the 1890s.

The Smithfield Market Hall on Swan Street is a two-storey stone building dated 1858. The detail around the main entrances takes its inspiration from the architecture of classical Greece, and each principal semi-circular arch has a bull's head carving on the central large key block. Originally a meat market, it soon became a vegetable market, and in recent years has been a training workshop for the Greater Manchester Youth Association.

No. 29 Swan Street is a Ruskinian Gothic-style building in orange-red brick with stone dressings. It has coloured bricks in the arches over the windows, with projecting stone hood-moulds, and also an overhanging oriel window at first floor level. Some of the stonework is richly carved in a leaf pattern, which forms both horizontal cornice banding and decorating near the windows.

### **Issues**

#### **Principle of the redevelopment of the site and contribution to regeneration**

Regeneration is an important planning consideration. The NOMA Strategic Regeneration Framework and masterplan seeks to create a commercially-led, mixed use destination. Significant progress has been made in delivering this vision with around 6,000 people working there, historic buildings have been brought back into active use, investment in public realm has included the creation of Angel Square and Sadler's Yard and other social and economic value objectives delivered.

The site is identified in the masterplan as being suitable for a large floorplates office scheme to continue economic growth in this area. This is essential to ensure that the city centre remains competitive and investment in Manchester continues.

The City Centre is the primary economic driver in the City Region and the City Centre must continue to provide office space that meets occupier requirements. Section 6 of the NPPF states that 'significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

There is an acknowledged shortage of good quality office accommodation in the Regional Centre and demand has remained strong post pandemic. As occupational demand grows, good quality products must be brought forward in sustainable locations such as this.

The proposal would continue the regeneration of NOMA and support economic growth, by delivering 44,525 sqm of Grade A office accommodation, creating jobs, active ground floor uses and public realm. The site is in close to Victoria station and Shudehill interchange which makes it ideal for office use. Many amenities are nearby.

The proposal would create in the region of 4,400 permanent jobs in a range of skills, and 400 jobs during the construction period. There would be opportunities for local people to access employment, agreed by a local labour agreement. The investment made in delivering this next phase of the NOMA masterplan would continue the success, economic growth and job creation in this part of the city centre.

The design would be of the highest quality, energy efficient and provide further investment in the public realm which would enhance pedestrian connectivity to the city centre and around the northern gateway.

The development would therefore be consistent with the City Centre Strategic Plan and would complement and build upon the City Council's current and planned regeneration initiatives and as such would be consistent with sections 1 and 2 of the National Planning Policy Framework, and Core Strategy policies SP1, EC1, CC1, CC6, CC7, CC8, CC9, CC10, EN1 and DM1. As such, it is necessary to consider the potential impact of the development.

## **Phasing**

In the event 2 and 3 Angel Square do not come forward together, a phasing plan for the delivery of the development and public realm would be required. 2 Angel Square is likely to be delivered first which would require temporary public realm including landscaping and boundary treatment.

## **Climate change, sustainability and energy efficiency**

An energy and environmental standards statement demonstrates that the energy hierarchy has been applied and that low and zero carbon technologies would be used and would comply with part L (2010). A BREEAM pre-assessment demonstrates that the proposal can achieve an 'Excellent' rating. In addition, it has the potential to deliver 42.9% and 44.8% CO<sub>2</sub> reduction against Part L 2013 for 2 and 3 Angel Square respectively. This is well in excess of the requirement of policy EN6, which seeks a 15% reduction on Part L (2010) (or 9% over Part L (2013)) of the Building Regulations. The proposal would also achieve a NABERS UK 5 star rating and EPC A rating.

Low and zero carbon technologies would be used to minimise water and energy demand. PV panels would be installed to the roof along with air source heat pumps. The use of public transport would be maximised through travel planning and cycle provision and landscaping would include biodiversity measures such as bird and bat boxes. Sustainable drainage would be used to manage surface water.

The overall energy performance would be satisfactory with an overall reduction in emissions as prescribed by policy EN6 of the Core Strategy. The development

complies with the spirit of the Core Strategy with high quality building fabric and systems. The energy standards should be a condition of any approval.

### **Impact of the historic environment and cultural heritage**

The site is not in a conservation area and does not contain any listed buildings. It is close to the boundaries of the Smithfield and Shudehill conservation areas and the following listed buildings: Parkers Hotel (Grade II), Ashton House (Grade II), New Century House (Grade II), former Co-op bank building (Grade II), CIS building (Grade II), Hanover building (Grade II) and City Buildings (Grade II).

Legislation and planning policy seek to preserve and enhance the character, appearance, and historic interest which heritage assets possess. Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("P(LBCA)A 1990") require that 'special regard' be paid in taking decisions affecting listed buildings and their settings and conservation areas.

A heritage assessment has considered the impact of the proposal on the historic environment as required the NPPF. The impact on the setting of the heritage assets and on key views has been assessed to allow the impact of the proposal to be understood and evaluated. The affected listed buildings and conservation areas form part of the wider character and view of the site and have been considered in detail.

The heritage assets have been considered within 6 key views and the impacts on each can be summarised as follows:

*View 1 junction of Corporation Street and Miller Street* looks south along Miller Street towards the junction with Shudehill. The view is framed by the 25 storey CIS tower (Grade II) and New Century House (Grade II) and 4 Angel Square (under construction). In the middle is the 34 storey Angel Meadow tower.



***Viewpoint 1 junction of Corporation Street and Miller Street (existing)***

3 Angel Square would be visible emerging from behind 4 Angel Square and would help to define the street edge along Miller Street. 2 Angel Square would only be experience when travelling along Miller Street alongside other NOMA developments. The development would change the view and the setting of the CIS tower and New Century House but the effect would be minor and would remove a vacant site from within their setting.



***Viewpoint 1 junction of Corporation Street and Miller Street (proposed)***

View 2 southern side of Angel Meadows looking south-east highlights the urban context of the site and the modern development visible. There is a glimpsed view of the top of the CIS tower which can be seen above 1 Angel Square. The view is not considered a sensitive view in which to appreciate the heritage environment.





***Viewpoint 2 southern side of Angel Meadows looking south-east (existing)***

The proposal would be visible above the residential buildings and result in visual change to the CIS building causing a minor degree of harm to its setting. This is, not considered to be a important view within which to appreciate the heritage asset.





***Viewpoint 2 southern side of Angel Meadows looking south-east (proposed)***

View 3 is located along Rochdale Road at its junction with Bendix Street. It is dominated by the Angel Gardens development at the junction of Rochdale Road and Miller Street. The Particular Baptist Chapel (non designated heritage asset) is prominent and the CIS tower and New Century Hall can be seen rising above it.



***Viewpoint 3 Rochdale Road, at its junction with Bendix Street (existing)***

The upper floors of 2 Angel Square and the southern elevation of 3 Angel Square would be visible. The development would be absorbed into view and become obscured by other existing development. There would be a partial obscuring of the CIS tower but it would remain visible and appreciated.



***Viewpoint 3 Rochdale Road, at its junction with Bendix Street (proposed)***

View 4 is at the corner of Swan Street and Oak Street, looking north along Swan Street with the site in the distance. The view is fragmented with the left hand side of the road defined by older later Victorian buildings in the Smithfield conservation area with the right hand side characterised by more recent development, in poor condition, or vacant sites. 29 Swan Street and Smithfield Market Hall are Grade II listed buildings are evident. Angel Gardens provides a strong vertical building when viewed against the lower buildings in the conservation area.





***Viewpoint 4 corner of Swan Street (right) and Oak Street (left), looking north along Swan Street (existing)***

The proposal would be visible and would help re-define the street edge on the right hand side of the views. Angel Gardens would remain the tallest element. The removal of the vacant site would provide an appropriate setting of the conservation area and listed buildings.



***Viewpoint 4 corner of Swan Street (right) and Oak Street (left), looking north along Swan Street (proposed)***

View 5 from Miller Street, at the junction with Shudehill, is characterised by construction works. The CIS tower is screened by the mature tree canopy although the podium level is partially visible at the base of the trees.



***Viewpoint 5 Miller Street, to the west of its junction with Shudehill (existing)***

Viewpoint 5 represents the magnitude of change as proposal providing a new boundary to the street scape. 3 Angel Square would be highly visible and help to enclose the street scape and the setting of the CIS tower





***Viewpoint 5 Miller Street, to the west of its junction with Shudehill (proposed)***

View 6 looks north along Great Ancoats Street just south of its junction with Lever Street to the left. The Daily Express Building (Grade II\*) provides a robust boundary to the street edge. Late Victorian buildings are on the left hand side of the view along with more modern developments. The highway infrastructure of Great Ancoats Street dominates the view. The Grade II Midland Bank building and the Grade II Crown and Kettle Public House are visible.



***Viewpoint 6 looking north long Great Ancoats Street (existing)***

The proposal is only partially glimpsed beyond Angel Gardens and would not impact on the heritage assets in the view.





### ***Viewpoint 6 looking north long Great Ancoats Street (proposed)***

This would be a major development adjacent to a number of heritage assets and would change their setting. The assets remain legible and understood in most instances and their significance not harmed as a whole. The proposal would remove a long-standing vacant site. This change amounts to a very low level of less than substantial harm, as defined by paragraph 196 of the NPPF, to the setting and significance of the CIS tower and New Century Hall (both Grade II).

Paragraph 193 of the NPPF states that it is necessary to assess whether the impact of the development suitably conserves the significance of the heritage assets, with great weight being given to the asset's conservation (and the more important the asset, the greater the weight should be).

The proposal would contribute positively to the significance and character of the listed buildings through the removal of the vacant site and the introduction of two high quality office developments and associated public realm.

The proposal would result in a very low level of less than substantial harm as defined by paragraph 196 of the NPPF, to the setting and significance of the listed buildings. As directed by paragraph 196 of the NPPF, it is now necessary to consider whether the public benefits would outweigh any harm. The public benefits are considered in detail below.

### **Impact Assessment**

The proposal would result in some instances of low level harm to nearby listed buildings, particularly the CIS tower and New Century Hall but the impacts would result in less than substantial harm and at the lower end of the scale. Any harm should be outweighed by the public benefits that would be delivered, in accordance with the guidance provided in paragraph 202 of the NPPF.

The proposal would deliver substantial public benefits which outweigh any minor harm to the setting of listed buildings. This is considered in detail below.

Many buildings in the NOMA estate have been restored and re-used. In total, ten buildings have been restored, six of which were listed. In acknowledgment of the history of the site, a full archaeological record would be made of the site and information boards and references made within the public realm to the previous industrial use at the site.

There would be a minor degree of harm to the surrounding listed buildings as a result of the introduction of a tall building at this site. The proposal would regenerate this partially vacant brownfield site in NOMA where change and development is expected to take place. The creation of high quality office accommodation would support economic growth and allow access to employment opportunities. The vacant buildings and car parking have a neutral impact on the setting and character of nearby listed buildings.

This proposal would comprehensively develop the site and provide a development to the main street frontages and would activate new areas of public realm as required in NOMA. Large floorplate, grade A office accommodation is in demand in the City in close proximity to excellent public transport links.

The scale and appearance of the development would be appropriate and would complement surrounding development and respect the setting of 1 Angel Square and nearby listed buildings, which remain clearly legible. It would be high quality and add positively to and complement the range of architectural styles found in the NOMA estate. The building would be a well detailed grid with deep window reveals and large amounts of glazing.

Over 44,525 sqm of Grade A office floor space would be created and the large floor plates would attract a variety of users. The floor plates would be flexible and can be adapted and subdivided. A flexible space on the ground floor could be available to start-up businesses. The proposal would create in the region of 4000 permanent jobs in a range of skills, and 400 jobs during construction. There would be opportunities for local people to access construction jobs, secured by a local labour agreement.

The proposal would be energy efficient and provide further investment in the public realm and enhance pedestrian routes, improving connectivity to the city centre and Victoria North.

It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the listed buildings and conservation areas as required by virtue of S66 and S72 of the Listed Buildings Act, and the NPPF, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme and meet the requirements set out in paragraph 202 of the NPPF.

### **Impact on Archaeology**

An archaeology assessment indicates that there are below ground archaeological remains associated with Manchester's first steam powered cotton mill together with the former reservoir of the mill. The site has been subject to previous archaeological excavation but further works would be required as part of this development.

GMAAS concurs with the conclusions drawn from the desk-based assessments and recommends that the site is subject to intrusive archaeological investigation in advance of development taking place in line with the written scheme of investigation. This should be a condition of any approval and would satisfy the requirements of policy EN3 of the Core Strategy and saved policy DC20 of the UDP.

### **Visual Amenity**

Two distinct buildings are proposed separated by public realm. Site levels require each to have a lower and upper ground floor.

The lower ground floor for 2 Angel Square would comprise the office entrance lobby, car and cycle parking with changing facilities, plant and ancillary functions.

The lower ground floor for 3 Angel Square would provide the entrance lobby and two commercial units facing Angel Square with external seating. Cycle and car parking would be included with changing facilities and plant.



### ***Lower ground floor of 2 and 3 Angel Square***

The upper ground floor of 2 Angel Square would include office accommodation and two commercial unit with an external seating area on a plinth level whilst the upper ground floor would include a gym and two flexible commercial units and flexible office or cinema space.



### ***Upper ground floor of 2 and 3 Angel Square***

The main entrances to each building would be directly off Angel Square facing the entrance to 1 Angel Square providing a strong sense of arrival. The commercial units would provide activity and define the street edge and ensure that Miller and Angel Street are activated and overlooked.



### ***Typical office layout***

The scale and appearance responds positively to this prominent site and the density and pattern of development in the area. Building heights in this part of NOMA vary with 1 Angel Square at 14 storeys, Angel Gardens at part 7, part 35 storey and 4 Angel Square is 11 storey

On the opposite side of Miller Street is the CIS tower and New Century Hall. New Victoria, adjacent to Victoria Station, includes buildings of 26 and 21 storeys.

The level difference ensures that the 14 storeys for 2 Angel Square and 13 storeys for 3 Angel Square, sit appropriately in the context of the other buildings in this part of the NOMA estate.

The massing of 2 Angel Square slopes and drops down towards Angel Street to minimise the impact on the apartments on the opposite side of the road. The highest part of the development sits adjacent to 3 Angel Square in order to retain its prominence with the adjacent building. 3 Angel Square is 13 storeys. Its impact on the adjacent listed buildings is minimised and considered elsewhere in this report.





North west elevation of 2 Angel Square and 3 Angel Square

### ***Height and massing of 2 and 3 Angel Square including sloping roof of 2 Angel Square***

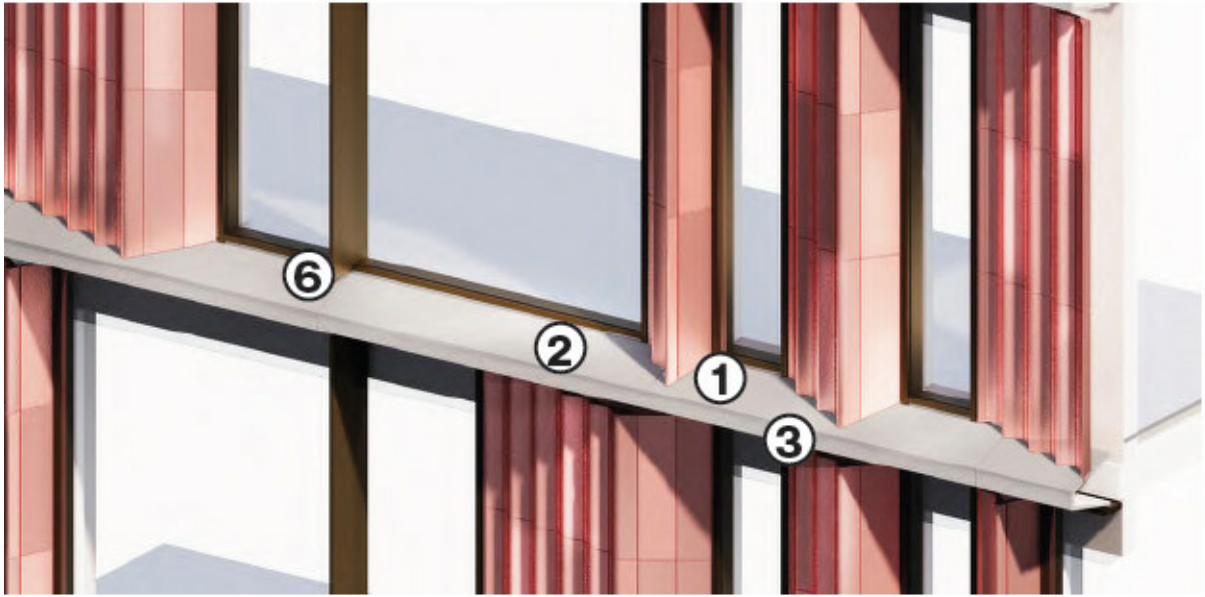
The buildings have been designed as a pair whilst retaining a distinctive identity. Both have a lower and upper ground floor Yorstone plinth to ground the buildings. The upper floors of 2 Angel Square would comprise red terracotta tiles whilst 3 Angel Square would be blue terracotta. Each floor would contain a horizontal element to the façade with an aluminium cill and GRC soffit.



### ***Base of 2 Angel Square***



***Base of 3 Angel Square***

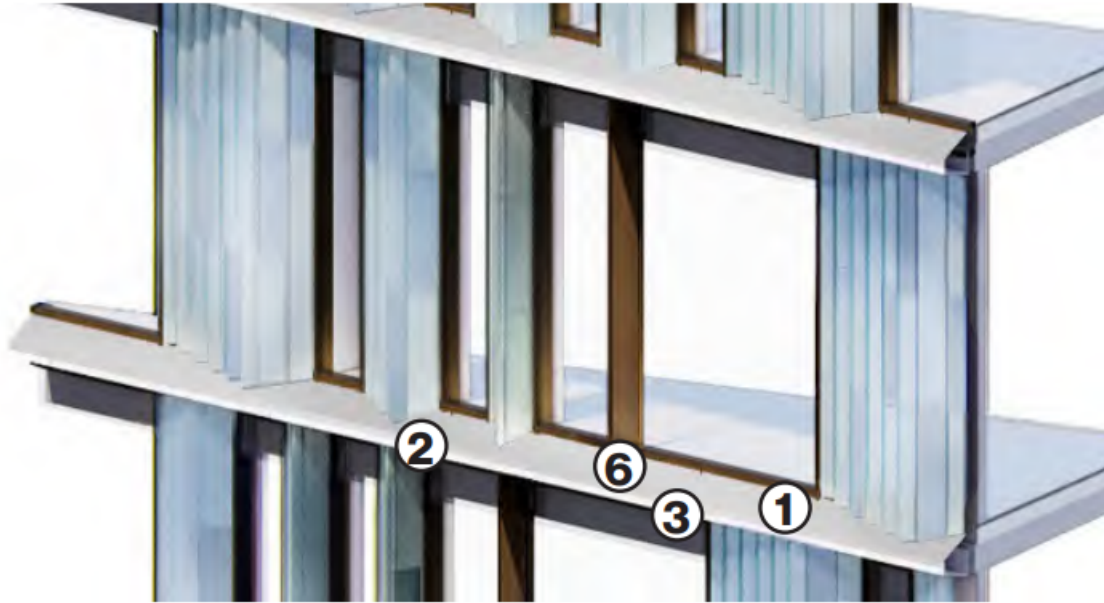


cill detail from above

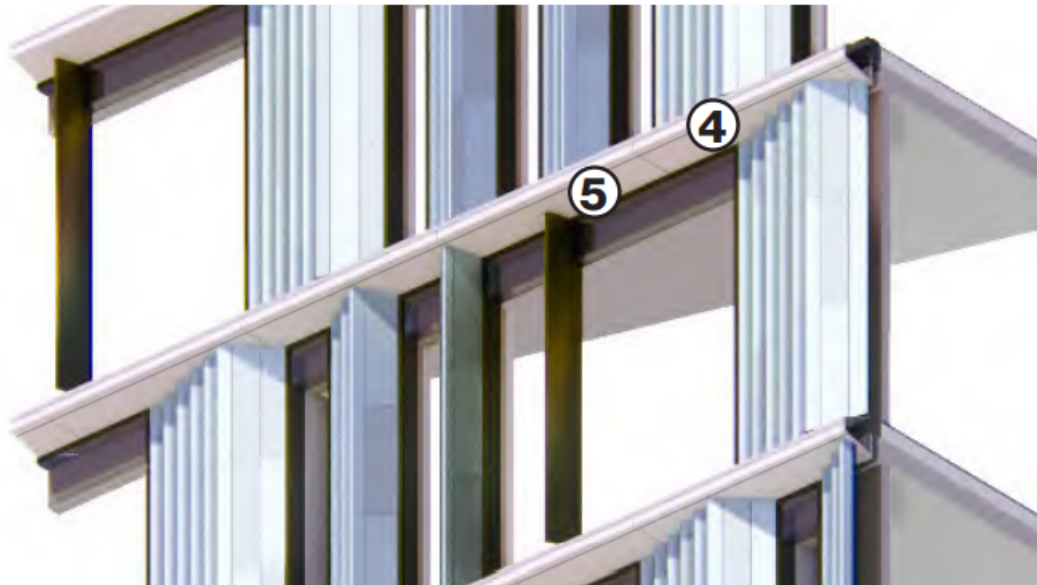


*Window and cill details 2 Angel Square*





detail from above



detail from below

### ***Window and cill details 3 Angel Square***

Winter garden features would overlook the public realm and Miller Street enhancing the corners of the building.



### ***Winter garden details***

The scale of development is appropriate here and the materials deliver a simple and effective façade treatment. Conditions would ensure that the materials are designed and undertaken to the highest standard.

### **Contribution to Improving Permeability, Public Spaces and Facilities and Provision of a Well Designed Environment**

Significant areas of public realm would be created that would complement public realm at the estate which would be improved and approved through a separate planning application.

There is a level change of approximately 5.4 metres across the site. The landscaping and public realm would connect the lower and upper ground floors of each building and ensure legible entrances.

Separating the buildings would be pocket gardens and terraces. Tree planting and a water feature would weave through the terraces and connect Angel Gardens to Angel Square. A lift providing access from the lower to the upper ground floor plinth would ensure the space is fully accessible. The public realm also incorporates features representing the previous use of the site as a Mill including artefacts and interpretation boards.



### ***Landscape masterplan***

### **Impact on Trees**

There are 5 individual trees and 6 tree groups on the site. They have been subject to an arboricultural assessment and are classified as follows:

- Category A (High Value) – None
- Category B (Moderate Value) – 2 Individual trees and 2 group trees
- Category C (Low Value) – 3 individual trees and 4 group trees

The proposal would result in the removal of 2 category B trees and 4 category C trees.

Policy EN9 states that new developments should maintain green infrastructure. Where the benefits of a proposal are considered to outweigh the loss of an existing element of green infrastructure, the developer should demonstrate how this loss would be mitigated in terms of quantity, quality, function and future management.

The trees cannot be retained if the site is to be developed in a way which would deliver the regeneration objectives. Notwithstanding this, the redevelopment delivers significant regeneration benefits. 30 trees would be planted in the public realm and landscaping works in mitigation of those lost. This would bring biodiversity benefits which are considered elsewhere within this report. This would satisfy policy EN9 of the Core Strategy.

### **Impact on Ecology**

An ecological appraisal concludes that the development would not cause significant or unduly harmful impacts to local ecology. The planting, trees and street trees would enhance green infrastructure, biodiversity and the ecological value of the site. A condition would agree final details to comply with policy EN9 of the Core Strategy and ensure a biodiversity gain at the site.

### **Effects on the Local Environment/ Amenity**

#### **(a) Sunlight, daylight, overshadowing and overlooking**

An assessment has established the likely effects of the proposal on daylight and sun light at properties around the site.

There is an extant planning permission at the site for 11 and 12 storey buildings ((124973/FO/2019). This planning application has been developed within the parameters of this extant permission in order to not give rise to any further impacts to surrounding residential properties than the extant scheme.

The site is open and has no buildings with the exception of a low rise marketing suite and does not obstruct light to surrounding buildings. This is an unusual scenario in an urban context.

Guidance exists, in the form of BR209, which sets out alternative targets for assessing the impact of sites such as this on daylight using typical building heights and densities. The impact on surrounding buildings is therefore assessed based on a mirror image of itself which is considered to be more representative.

The following properties were assessed:

- Linx building Angel Street elevation to the north of the site; and
- Angel Gardens (North West elevation) to the south of the site.
-

The assessment has considered other adjacent residential properties but due to the distance and orientation from the site they are unlikely to be affected.

The assessment indicates that the Angel Street elevation of the Linx building would be impacted and would likely to perceive a reduction in light to main living area. A similar situation occurs in relation to the main living areas on the north western elevation of Angel Gardens.

A more detailed study into the vertical sky component (VSC) and probable sunlight hours (APSH) for the Linx building and Angel Gardens has assessed the extent of loss of light.

The impact on Angel Gardens would mainly be experienced by windows on the northwest elevations of the low-rise part of Angel Gardens and the windows on the bottom 4 floors of the high-rise part.

Windows on these bottom 4 floors are predominantly shaded by the northern low-rise parts of Angel Gardens, so it is not expected that there would be an adverse impact from the proposal.

All windows on higher floors of Angel Gardens meet BRE guidance as they are negligibly obstructed. 24 windows tested on the bottom floors of the northwest facing elevation, of the high rise part of Angel Gardens, would also achieve BR209 targets.

186 windows were tested on the low rise part of Angel Gardens. 4 (2.2%) would achieve the BR209 target by either retaining a VSC of at least 15% or at least 0.8 times their original value. The impact on the remaining windows would be as follows: 7 (3.8%) would achieve values between 0.6 and 0.8, 61 (32.8%) values between 0.4 and 0.6 and 115 (61.3%) achieving less than 0.4 of their original value.

Internal layouts indicate that around 57% of windows in Angel Gardens serve living areas with the remaining serving bedrooms. These have a lesser requirement for daylight than living areas.

There are no windows facing within 90° of south with Angel Gardens and there is no requirement to assess sunlight.

The impact on The Link building would mainly be experienced by windows on the Angel Street elevation. 106 windows were considered, 26 (24.5%) of which achieved the BR209 target for VSC by either retaining a VSC of at least 15% or at least 0.8 times their original value.

28 (26.4%) of the remaining windows, achieve between 0.6 and 0.8 times their original value, 32 (30.2%) achieve between 0.4 and 0.6 times their original value and 20 (18.9%) achieve less than 0.4 times their original value. These 20 windows experiencing the most major change are 9 living rooms and 11 bedrooms.

The upper two storeys of The Link building are affected by the overhang of the roof and are set back from the main façade which contributes to the shading to these windows notwithstanding this proposal. There are windows on the corners of the

Angel Street elevation which are below projecting balconies that shade them. Without the presence of these architectural features on the Linx building, the impact of the proposal would be considerably less noticeable.

The 106 windows on the Linx Building were tested for sunlight. 36 (34%) would achieve BR209 targets by achieving at least 25% APSH and 5% WPSH with the proposed development in place; 12 (11.3%) would experience a minor adverse impact; 30 (28.3%) would experience a moderate adverse impact and 28 (26.4%) would experience a major adverse impact.

It is acknowledged that there would be a reduction in light levels in properties in Angel Gardens and The Link building. These impacts are, however, no greater than previously considered as part of planning permission 124973/FO/2019. The harm in this instance is not considered unusual for an urban context such as this where tall buildings and medium sized buildings are located in close proximity to each other. The daylight impacts on Angel Gardens and The Link building are not considered to unduly harmful to warrant refusal of this planning application.

Consideration has also been given to the impact of the development on available sunlight to areas of public realm and amenity spaces. The areas assessed were comprise Angel Square to the northwest of the Proposed Development (Area 1), Angel Gardens amenity spaces (Areas 5,6 and 7) and within the Site of the proposed development (Areas 2 to 4).

The BR209 guidance is met in amenity spaces 1, 3, 6 and 7 with at least 50% of each area receiving at least 2 hours of direct sunlight on the 21 March or would not experience a reduction in hours of sunlight of no more than 20% of its original value.

Proposed amenity spaces 2, 4 and 5 receive some direct sunlight but fall short of BR209 guidance, with between 8.3% and 19.1% of the area of these spaces receiving 2 hours of sunlight on the 21st of March. These areas are seen as an extension to Angel Square, which would be the focus for seating area, and which does meet BR209 guidance. Area 4 will form a link between the Mews and Angel Square and would be designed to incorporate high quality materials and landscaping to achieve an attractive environment.

This area is therefore considered as a single public realm space incorporating areas 1 to 5. BR209 guidance is met within 81.4% of the combined area receiving at least 2 hours of direct sunlight on the 21st of March.

The proposal has been designed to minimise the impact on surrounding residential buildings whilst delivering upon the objectives of the NOMA SRF. It has been demonstrated that the impacts to daylight and sunlight are no greater than were identified as part of the extant planning permission. This is material in the determination of this planning application. The roof profile of 2 Angel Square slopes away from The Links building to further minimise any impacts.

It is considered that the impacts are not unduly harmful to warrant refusal of this application in this urban context.



#### (b) TV reception

A TV reception survey has concluded that there is likely to be minor interference with digital terrestrial and satellite television. This would be closely monitored during the works and a condition would require of a post completion survey to be undertaken to verify any impacts and secure mitigation if required.

#### (c) Air Quality

The majority of the site is in the Greater Manchester Air Quality Management Air (AQMA), and adjacent to the Salford AQMA, where air quality conditions are poor. Roads which may be used for construction traffic and post development are in the AQMA. The site was previously developed and is close to homes.

There are homes, businesses, educational facilities and recreational areas which could be affected by construction traffic and that associated with the completed development.

The application assesses the potential effects during construction of dust and particulate emissions from site activities and materials movement based on a qualitative risk assessment method based on the Institute of Air Quality Management's (IAQM) 'Guidance on the Assessment of Dust from Demolition and Construction' document, published in 2014.

The assessment of the air quality impacts of the completed development has focused on the predicted impact of changes in ambient nitrogen dioxide (NO<sub>2</sub>) and particulate matter with an aerodynamic diameter of less than 10 µm (PM<sub>10</sub>) and less than 2.5 µm (PM<sub>2.5</sub>) at key local locations. The magnitude and significance of the changes have been referenced to non-statutory guidance issued by the IAQM and Environmental Protection UK (EPUK).

Both the construction and operational impacts of the development on air quality have been considered.

The main contributors to air quality conditions would be from construction. dust, particulate matter and pollution concentrations generated on site, particularly from exhaust emissions from traffic, plant and earthworks. Nearby homes are likely to experience impacts from dust from construction and earthworks. There would be emissions from construction traffic which will enter the site from Miller Street. There are also likely to be cumulative impacts from other nearby developments which will be under construction at the same time.

The impact on human health would be low and would be further minimised by dust suppression measures and other good practices which must be implemented throughout the construction period which would be secured through the construction management plan condition.

Consideration has been given to the impact of the air quality conditions on the future occupants of the development and the surrounding area when the development is occupied.

Although the development would generate traffic, it would not create new impacts on air quality conditions (NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>).

100 car parking spaces would be removed from the site. There would be 30 car parking spaces proposed as part of the development which would result in a net reduction of spaces. There would be 270 cycle spaces and a travel plan to encourage the use of public transport use and reduce vehicle trips.

As the development would operate on an all electrical system, there would be no gas fired boilers or generators which would normally contribute to air quality conditions. No mitigation is required to minimise the impact when the development is occupied. A mechanical ventilation system would ensure that air intake to the offices would be fresh and free from pollutants.

Environmental Health concur with the conclusions and recommendations within the air quality report. The mitigation measures would be secured by planning condition and the proposal would comply with policy EN16 of the Core Strategy, paragraph 8 of the PPG and paragraph 124 of the NPPF in that there would be no detrimental impact on existing air quality conditions as a result of the development.

#### (d) Wind environment

A wind assessment has examined potential effects and in particular, wind flows that would be experienced by pedestrians and the influence on their activities. The assessment considered mitigation measures to minimise the impact on the wind microclimate.

A Computational Fluid Dynamics (CFD) analysis assessed the effects of the proposal on existing wind conditions, the conditions with the development in place and the cumulative scenario with other committed developments. Scenarios (including existing conditions) have been modelled to determine the wind speeds at the site and the impact on pedestrian comfort and safety.

The current wind conditions, for pedestrian safety and comfort, show that there is wind acceleration at Miller Street and Rochdale Road. These are influenced by One Angel Square, CIS building and Angel Gardens.

The proposal would have a minor beneficial effect in reducing wind speeds in these areas with the exception of conditions on Miller Street and Rochdale Road where conditions would remain the same.

The wind conditions are suitable for a range of activities and there are no safety concerns. The provision of the landscaping scheme for the development forms any important part of the wind mitigation strategy.



## **Noise and vibration**

A noise assessment identifies the main sources of noise during construction would be from plant, equipment and general construction activities including breaking of ground and servicing.

Noise levels from the construction would be acceptable provided that the operating and delivery hours are adhered to along with an acoustic site hoarding, equipment silencers and regular communication with nearby residents. This should be secured by a planning condition.

The commercial units would need to be appropriately acoustically insulated to prevent noise outbreak along with plant and external equipment.

Provided that construction activities are carefully controlled and the plant equipment and residential and commercial accommodation are appropriately insulated the proposal would be in accordance with policy DM1 of the Core Strategy, extant policy DC26 of the UDP and the NPPF.

## **Waste management**

A waste management strategy details how waste would be managed.

2 and 3 Angel Square would accommodate a central waste store within the lower ground floor of the buildings. The number of bins required for each building is as follows:

*2 Angel Square* Non recyclable waste – 5 x 1100 Litre bins, Dry mixed recycling – 5 x 1100 Lite bins plus 660 Litre bin, Glass recycling – 2 x 1100 Litre bins. There would also be additional waste storage requirements for the commercial space within 2 Angel Square and the following bins are required to support this: Non recyclable waste – 3 x 1100 Litre bins; Dry mixed recycling – 3 x 1100 Lite bins; Glass recycling – 1 x 1100 Litre bins plus 660 Litre bin; Organic Food recycling – 1 x 1100 Litre bin

*3 Angel Square* Non recyclable waste – 6 x 1100 Litre bins; Dry mixed recycling – 7 x 1100 Lite bins; and, Glass recycling – 3 x 1100 Litre bins. There would also be additional waste storage requirements for the commercial space within 3 Angel Square and the following bins are required to support this: Non recyclable waste – 2 x 1100 Litre bins; Dry mixed recycling – 2 x 1100 Lite bins; Glass recycling – 1 x 660 Litre bin; Organic Food recycling – 1 x 660 Litre bin

Waste collections would be undertaken by a private company. 2 Angel Square would be serviced via a dedicated loading bay area whilst 3 Angel Square would be serviced along the shared service road with Angel Gardens.

Environmental Health consider the waste management arrangements to be acceptable.

## **Accessibility**

The proposal would be accessible. Four disabled car parking spaces (two in each building) would be provided within the basement car park in close proximity to the lift core. There is level access into the commercial units and office entrance lobby off Miller Street. All floors of the building are accessible by lift. The public realm would be accessible including lift access to navigate the level changes in the centre of the site.

## **Impact on the highway network/car parking**

A transport statement has concluded that the number of trips generated would not have a detrimental impact on the local highway network with the development being located close to public transport.

2 and 3 Angel Square would each have 15 car parking spaces (including two accessible bays) located with a lower ground floor area. These spaces would each be fitted with an electric car charging point.

Vehicle and servicing access would be from Angel Street via Angel Square for 2 Angel Square whilst 3 Angel Square would be accessed off Miller Street via the shared access with Angel Gardens. Information has been provided which demonstrates these access are appropriate for the vehicle sizes.

There would be 122 cycle spaces for 2 Angel Square and 148 for 3 Angel Square. This would be supported by changing and shower facilities for office workers.

The proposal requires some highway interventions including the creation of vehicle access point, footway improvements (including tactile paving) and the creation of a signal control of 3 Angel Street.

A draft travel plan encourages the use of sustainable forms of travel and conditions would require the production and implementation of a full travel plan. A draft construction management plan demonstrates that there would be minimal impact on the local highway network. A detailed plan would be produced as part of the conditions of any planning approval. A servicing plan is also required.

Overall, the development would have a minimal impact on the local highway network and there would be adequate car and cycle provision. Travel planning would take advantage of the sustainable location to further reduce the reliance on the car. The proposal therefore accords with policies SP1, T1, T2 and DM1 of the Core Strategy

## **Flood Risk/surface drainage**

The site is in flood zone 1 'low probability of flooding'. However, it is in a critical drainage area where there are complex surface water flooding problems from ordinary watercourses, culverts and flooding from the sewer network. These areas are particularly sensitive to an increase in rate of surface water run-off and/or volume from new developments which may exasperate local flooding problems. The applicant has prepared a drainage statement in support of their planning application.

The Flood Risk Management Team require further details which should be secured by a condition together with verification and future management arrangements.

### **Designing out crime**

A Crime Impact Statement (CIS), prepared by Design for Security at Greater Manchester Police, recognises that the development would bring vitality to this area and more active frontage. A recommended condition requires the CIS to be implemented in full to achieve Secured by Design Accreditation.

### **Ground conditions**

A ground conditions report details that the site is contaminated from previous uses and requires remediation. The ground conditions are not complex so as to prevent development provided a strategy is prepared, implemented and the works verified. This approach should form a condition of the planning approval in order to comply with policy EN18 of the Core Strategy.

### **Aerodrome Safeguarding**

There would be no aerodrome safeguarding concerns in respect of this proposal. An informative about the use of cranes during construction should be imposed.

### **Construction management**

The work would take place close to homes and comings and goings from the site are likely to be noticeable. However, these impacts should be short in duration and predictable. A condition requires a construction management plan to be agreed which would include details of dust suppression measures, highways management plan and details of use of machinery. Wheel washing would prevent any dirt and debris along the road and beyond.

The site would be serviced from Miller Street where a site compound area would be created. All servicing vehicles would come via this route which would ensure that there would be minimal disruption to the homes along Angel Street from construction vehicle movements. These properties are still likely to experience noise and dust from the development but this would be minimised through measures agreed in the construction management plan.

There is unlikely to be any cumulative impact from construction activity. There is a large amount of activity in the local area but the proximity of the strategic road network should help to minimise disruption on the surrounding area.

Provided the initiatives outlined above are adhered to, it is considered that the construction activities are in accordance with policies SP1 and DM1 of the Core Strategy and extant policy DC26 of the Unitary Development Plan. However, it is recommended that a condition of the planning approval is that the final construction management plan is agreed in order to ensuring the process has the minimal impact on surrounding residents and the highway network.

## **Conclusion**

The proposal conforms to the development plan taken as a whole as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 and there are no material considerations which would indicate otherwise.

The proposal would help to regenerate a key site within NOMA providing much needed high quality office accommodation. It would develop a vacant, poor quality site on a key road junction in the city centre.

The new buildings would be sustainable and high quality and contribute to NOMA through its materials, elevational treatment and how it addresses street frontages. Others benefits include job creation and public realm improvements.

The scale of the proposal would cause some a low level of harm to the significance of the nearby listed buildings. However, this would be outweighed by the public benefits delivered. There would be some localised impacts on amenity at nearby residents in terms of daylight and sunlight, but none are unusual for this urban context.

The level of harm would be less than substantial and would be outweighed by the public benefits delivered. Notwithstanding the considerable weight that must be given to preserving the setting of the listed buildings and conservation areas as required by virtue of S66 and S72 of the Listed Buildings Act, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme thus meeting the requirements set out in paragraph 202 of the NPPF.

**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 the right to a fair hearing and to this end the Committee 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 of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

**Recommendation**      Approve

**Article 35 Declaration**

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding the siting/layout, scale, design and appearance of the development along with noise and traffic impacts. Further work and discussion have taken place with the applicant through the course of the application, particularly in respect of the highways matters and impact on the historic environment. The proposal is considered to be acceptable and therefore determined within a timely manner.

### **Reason for recommendation**

### **Conditions to be attached to the 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) Prior to the commencement of development, a detailed phasing plan (including indicative timescales for implementation) for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The development shall then be carried out in accordance with the phasing plan and timescales agreed.

Reason - The development is to be carried out on a phased basis and details must therefore be agreed in this regard to ensure that a comprehensive development provided at this site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and the NOMA Strategic Regeneration Framework Development Framework.

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

### **Drawings**

947-CPA-P2-00-DR-A-0200 P02, 947-CPA-P2-02-DR-A-0202 P02, 947-CPA-P2-03-DR-A-0203 P02, 947-CPA-P2-04-DR-A-0204 P02, 947-CPA-P2-05-DR-A-0205 P02, 947-CPA-P2-06-DR-A-0206 P02, 947-CPA-P2-07-DR-A-0207 P02, 947-CPA-P2-08-DR-A-0208 P02, 947-CPA-P2-09-DR-A-0209 P02, 947-CPA-P2-10-DR-A-0210 P02, 947-CPA-P2-11-DR-A-0211 P02, 947-CPA-P2-12-DR-A-0212 P02, 947-CPA-P2-ZZ-SH-A-0120 P02, 947-CPA-P2-ZZ-SH-A-0121 P01, 947-CPA-P3-00-DR-A-0200 P02, 947-CPA-P3-02-DR-A-0202 P02, 947-CPA-P3-03-DR-A-0203 P02, 947-CPA-P3-04-DR-A-0204 P02, 947-CPA-P3-05-DR-A-0205 P02, 947-CPA-P3-06-DR-A-0206 P02, 947-CPA-P3-07-DR-A-0207 P02, 947-CPA-P3-08-DR-A-0208 P02, 947-CPA-P3-09-DR-A-0209 P02, 947-CPA-P3-10-DR-A-0210 P02, 947-CPA-P3-11-DR-A-0211 P02, 947-CPA-P3-ZZ-SH-A-0120 P02, 947-CPA-P3-ZZ-SH-A-0121 P01, 947-CPA-ZZ-00-DR-A-0150, 947-CPA-ZZ-ZZ-DR-A-0102 REV P03, 947-CPA-ZZ-ZZ-DR-A-0600 REV P02, 947-CPA-ZZ-ZZ-DR-A-0601 REV P02, 947-CPA-ZZ-ZZ-DR-A-0602 REV

P02, 947-CPA-ZZ-ZZ-DR-A-0603 REV P02, 947-CPA-ZZ-ZZ-DR-A-0700 REV P02, 947-CPA-ZZ-ZZ-DR-A-0701 REV P02, 947-CPA-ZZ-ZZ-DR-A-0702 REV P02, 947-CPA-ZZ-ZZ-DR-A-0703 REV P02, PL2190.1-PLA-XX-XX-DR-L-1000 P05, PL2190.1-PLA-XX-XX-DR-L-1001 REV P03, PL2190.1-PLA-XX-XX-DR-L-1002 REV P01, PL2190.1-PLA-XX-XX-DR-L-2000 REV P03, PL2190.1-PLA-XX-XX-DR-L-3000 REV P01, PL2190.1-PLA-XX-XX-DR-L-3001 REV P01 and PL2190.1-PLA-XX-XX-DR-L-3002 REV P01

All stamped as received by the City Council, as Local Planning Authority, on the 7 July 2022

947-CPA-P2-01-DR-A-0201 P03, 947-CPA-P2-13-DR-A-0213 P03, 947-CPA-P2-15-DR-A-0215 P01, 947-CPA-P2-ZZ-DR-A-0600 REV P03, 947-CPA-P2-ZZ-DR-A-0601 P03, 947-CPA-P2-ZZ-DR-A-0602 REV P03, 947-CPA-P2-ZZ-DR-A-0603 REV P03, 947-CPA-P2-ZZ-DR-A-0700 P03, 947-CPA-P2-ZZ-DR-A-0701 P03, 947-CPA-P2-ZZ-DR-A-0800 P03, 947-CPA-P2-ZZ-DR-A-0801 P03, 947-CPA-P2-ZZ-DR-A-0802 P03, 947-CPA-P2-ZZ-DR-A-0803 P03, 947-CPA-P3-ZZ-DR-A-0600-P03, 947-CPA-P3-ZZ-DR-A-0601-P03, 947-CPA-P3-ZZ-DR-A-0602-P03, 947-CPA-P3-ZZ-DR-A-0603 P03, 947-CPA-P3-ZZ-DR-A-0700-P03, 947-CPA-P3-ZZ-DR-A-0701-P03, 947-CPA-P3-ZZ-DR-A-0800-P03, 947-CPA-P3-ZZ-DR-A-0801-P03, 947-CPA-P3-ZZ-DR-A-0802-P03, 947-CPA-P3-ZZ-DR-A-0803-P03, 947-CPA-P3-ZZ-DR-A-0201-P03, 947-CPA-P3-ZZ-DR-A-0212-P03, 947-CPA-P3-ZZ-DR-A-0213-P03 and 947-CPA-P3-ZZ-DR-A-0214-P02

All stamped as received by the City Council, as Local Planning Authority, on the 9 September 2022

#### Supporting information

Statement of Consultation prepared by Deloitte and Counter Context, Heritage and Visual Impact Assessment prepared by Stephen Levrant Heritage Architecture, Environmental Standards Statement prepared by Mainer with support from Buro Happold, Energy Statement prepared by Buro Happold, BREEAM Pre-Assessment prepared by Mainer Associates, Noise and Vibration Assessment prepared by Buro Happold, Ground Engineering Desk Study Report (May 2022) prepared by Buro Happold, 2 & 3 Angel Square and NOMA Marketing Suite Report on Ground Investigation prepared by Structural Soils, Archaeological Desk Based Assessment (August 2019) prepared by Salford Archaeology, Archaeological Excavation Report (October 2021) prepared by Salford Archaeology, Aviation Safety Assessment prepared by Pager Power, Underground Utilities Map prepared by Charter Oaks Limited, Television Baseline Survey prepared by Pager Power, Ecological Survey and Assessment prepared by ERAP, Arboricultural Impact Assessment prepared by Bowland Tree Consultancy Limited, Local Labour Agreement prepared by NOMA (GP) Ltd, Crime Impact Statement prepared by Greater Manchester Police, Ventilation Strategy prepared by Buro Happold, Servicing and Waste Management Strategy prepared by Curtins, Flood Risk Assessment prepared by Buro Happold, Drainage Strategy prepared by Buro Happold, Operational Management Strategy prepared by Workman, Transport Statement prepared by Curtins, Framework Travel Plan prepared by Curtins, Air Quality Assessment prepared by Buro Happold and Outline Construction Management Plan – prepared by Gardiner and Theobald;

Environmental Statement, including the following chapters:

- Introduction – prepared by Deloitte LLP;
- Methodology and Significance Criteria – prepared by Deloitte LLP;
- Site, Surroundings and Description of Proposals – prepared by Deloitte LLP;  
NOMA, 2&3 Angel Square 8

- Consideration of Alternatives – prepared by Deloitte LLP;
- Construction Methodology and Phasing – prepared by Gardiner and Theobald and Deloitte LLP;
- Sunlight and Daylight Assessment – prepared by Buro Happold;
- Wind Microclimate Assessment – prepared by Buro Happold;
- Type 1 Cumulative Effects – prepared by Deloitte LLP;
- Summary of Residual Effects – prepared Deloitte LLP; and
- Non-Technical Summary – prepared by Deloitte LLP and Buro Happold.

All stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022

Design and Access Statement prepared by Cartwright Pickard, Landscape Design and Access Statement prepared by Planit-IE Rev P03 stamped as received by the City Council, as Local Planning Authority, on the 9 September 2022

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.

4) No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted for approval in writing by the City Council, as Local Planning Authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
  - an archaeological watching briefing.
2. A programme for post-investigation assessment to include:
  - production of a final report on the results of the investigations and their significance.
3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. Dissemination of the results of the archaeological investigations commensurate with their significance.
5. Provision for archive deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible pursuant to policies EN3 of the Manchester Core Strategy (2012) and saved policy DC20 of the Unitary Development Plan for the City of Manchester (1995).

5) A phase of development shall not commence until details of the method for piling, or any other foundation design using penetrative methods, has 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).

6) Prior to the commencement of a phase of development, a detailed construction management plan outlining working practices during development shall be submitted for approval in writing by the local planning authority, which for the avoidance of doubt should include;

- o Display of an emergency contact number;
- o Details of Wheel Washing;
- o Dust suppression measures;
- o Compound locations where relevant;
- o Location, removal and recycling of waste;
- o Routing strategy and swept path analysis;
- o Communication strategy with residents and businesses which shall include details of how there will be engagement, consult and notify residents during the works;
- o Parking of construction vehicles and staff; and
- o Sheeting over of construction vehicles.

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, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

7) a) Prior to the commencement of a phase of 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).

8) Notwithstanding the details submitted on the Drainage Strategy prepared by Buro Happold stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022, (a) the development shall not commence until a scheme for the drainage of surface water from that phase of the new development shall be submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- Further assessment of the feasibility of implementing alternative green SuDS solution such as rain gardens, SuDS enabled street trees and rainwater harvesting techniques;
- Surface water drainage layout including discharge points, proposed attenuation and proposed overland flow routes for extreme events (up to a 1 in 100 year including 45% climate change allowance).
- 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 45% 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 (including proposed internal and external levels) needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.
- Hydraulic calculation of the proposed drainage system;
- Construction details of flow control and SuDS elements.

(b) The phase shall then be constructed in accordance with the approved details, within an agreed timescale.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

9) Notwithstanding the Desk Study, BuroHappold, 050930-BHE-GE-RP-XX-X-0001, 29 June 2022 and report on Ground Investigation, Structural Soils Limited, 765325, October 2021 stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022.

(a) before a phase of development hereby approved commences, the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority:

- Site Investigation,
- Final Risk Assessment; and
- Remediation Strategy (if required).

One approved, the development shall then be carried out in accordance with the approved details.

(b) When a phase of development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted for approval in writing by the City Council as local planning authority prior to the first occupation of a phase of the development.

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 - There is evidence of site contamination at the application site which requires further consideration and examination. In particular, details of outstanding gas monitoring is required to be submitted for consideration and an appropriate remediation strategy prepared. This is pursuant to policy EN18 of the Manchester Core Strategy (2012).

10) Prior to the commencement 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.

11) Prior to the first use of a phase of the development, details of the implementation, maintenance and management of the sustainable drainage scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include:

- Verification reporting providing photographic evidence of constriction;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements 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 pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

12) (a) Notwithstanding drawings PL2190.1-PLA-XX-XX-DR-L-1000 P05, PL2190.1-PLA-XX-XX-DR-L-1001 REV P03, PL2190.1-PLA-XX-XX-DR-L-1002 REV P01, PL2190.1-PLA-XX-XX-DR-L-2000 REV P03, PL2190.1-PLA-XX-XX-DR-L-3000 REV P01, PL2190.1-PLA-XX-XX-DR-L-3001 REV P01 and PL2190.1-PLA-XX-XX-DR-L-3002 REV P01 stamped as received by the City Council, as Local Planning Authority, on the 7 July 2022, 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.

13) Prior to the first use of a phase of the development hereby approved, full details of the specification and locations of bat and bird boxes, shall be submitted for approval in writing by the City Council as Local Planning Authority. The bat and bird boxes shall be installed prior to the completion of the development and therefore be retained and remain in situ.

Reason - To ensure the creation of new habitats in order to comply with policy EN15 of the Manchester Core Strategy (2012).

14) The development hereby approved shall be carried out in accordance with the Environmental Standards Statement prepared by Mainer with support from Buro Happold and Energy Statement prepared by Buro Happold stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022. 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 Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

15) 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, before any of the buildings hereby approved are 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.

16) (a) Prior to the first use of a phase of the development hereby approved, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval in writing by the City Council, as Local Planning Authority. 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 (L<sub>aeq</sub>) below the typical background (L<sub>a90</sub>) level at the nearest noise sensitive location.

(b) Prior to the first use of a phase 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. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority. Any measures shall 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).

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 15 July 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.

18) Prior to the first use of a phase of the development, details of a scheme to extract fumes, vapours and odours from the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first use of a phase of the development and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

19) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority before the first use of the development hereby approved. The approved scheme shall be implemented in full prior to the first use of development and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

20) If any 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.

21) The development shall be carried out in accordance with the Crime Impact Statement prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as

local planning authority has acknowledged in writing that it has received written confirmation of a Secured 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.

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 15 July 2022.

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 947-CPA-P2-00-DR-A-0200 P02 and 947-CPA-P3-00-DR-A-0200 P02 stamped as received by the City Council, as Local Planning Authority, on the 7 July 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 a phase of the development hereby approved, the car parking layout, as indicated on drawings 947-CPA-P2-00-DR-A-0200 P02 and 947-CPA-P3-00-DR-A-0200 P02 stamped as received by the City Council, as Local Planning Authority, on the 7 July 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).

25) Prior to the first use of the development hereby approved, a scheme of highway works and details of footpaths reinstatement/public realm shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- Creation of Vehicle access from Angel Street and Miller Street including installation of tactile paving and dropped kerbs either side of the new access points and appropriate 'give way' lining arrangements;
- Traffic signal entry/exit arrangement to 3 Angel Square car park including road markings, details of proposed interaction with traffic simultaneously accessing/egressing Angel Gardens; and
- Review and alterations of street lighting to Miller Street and Angel Street.

The approved scheme shall be implemented and be in place prior to the first occupation of the development hereby approved 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) and in accordance with the NOMA masterplan.

26) Prior to the first use of a phase of the development, details of the specification of electric car charging points to all car parking spaces, as indicated on drawings 947-CPA-P2-00-DR-A-0200 P02 and 947-CPA-P3-00-DR-A-0200 P02 stamped as received by the City Council, as Local Planning Authority, on the 7 July 2022, 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).

27) Notwithstanding the TV reception survey stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022, within one month of the practical completion of the and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area a study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.



Reason - To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built, will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception - In the interest of residential amenity, as specified in policy DM1 of Core Strategy.

28) Prior to the first use of the development hereby approved a 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).

29) 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):

- 2 Angel Square hereby approved shall only be used for offices (Use Class Egi) and two flexible commercial units at Upper Ground floor Level (Use Classes Ea, b, c, e, f, and / or Use Class Sui Generis (p) and (q)) (excluding convenience retail), and with a flexible office (Use Class Egi) and/or restaurant (Use Class Eb) space at Level 12
- 3 Angel Square hereby approved shall only be used for offices (Use Class Egi) with two flexible commercial units provided over Lower and Upper Ground Floor Levels (Use Classes Ea, b, c, e, f, and / or Use Class Sui Generis (p) and (q)) (excluding convenience retail), a further flexible commercial unit at Upper Ground Floor Level only allowing for ancillary seminar space and / or Sui Generis Use Class (t) Cinema space

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) and the NOMA masterplan.

30) The commercial units hereby approved 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.

31) Prior to the first use of a phase of the development hereby approved, a servicing management strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy shall then be implemented as part of that phase of the development and remain in place for as long as the development remains in use.

Reason - In the interest of highway and pedestrian safety pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy (2012).

32) When the development is first occupied, deliveries, servicing and collections including waste collections shall not take place outside the following hours:

Monday to Saturday 07:30 to 20:00

Sundays (and Bank Holidays): 10:00 to 18:00

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

33) Prior to the first use each phase, the commercial units for each phase, 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 in that phase.

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.

34) Prior to the first use each of the office accommodation for each phase, 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 office accommodation in that phase.

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.

35) The roof terraces hereby approved shall not be open outside the following hours:-

Monday to Saturday 08:00 to 23:00

No use of the roof terrace on Saturday and Sundays

There shall be no amplified music or sound on the roof terrace at any time.

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.

36) Prior to the first use of each of the commercial units in each phase, 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. 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).

37) The development hereby approved shall include for full disabled access to be provided to all areas of public realm and via the main entrances and to the floors above.

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

38) Prior to the first use of each commercial unit, gym and cinema spaces, details of how the commercial spaces 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.

Where entertainment noise is proposed the  $L_{Aeq}$  (entertainment noise) shall be controlled to 5dB below the  $L_{A90}$  (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 ( $L_{eq,5min}$ ), respectively.

(b) The approved scheme shall be implemented and prior to the first use of each of the commercial space, 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. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

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).

39) All windows at ground level, unless shown otherwise on the approved drawings detailed in condition 2, 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.

40) Prior to the first use of the commercial spaces within a phase of development, details of any external areas associated with these commercial spaces (including an Operating Schedule) shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The Operating Schedule shall contain the following details:

- a. A scaled layout plan showing the proposed seating area, including layout of furniture and demarcation of the area;
- b. Full details of the measures proposed to ensure that the proposed seating area is fully accessible by disabled people;
- c. Details of the proposed furniture, including any barriers;
- d. A detailed management strategy that includes information on how the proposed external seating area would be managed in terms of potential noise disturbance, additional movement and activity, litter and storage of furniture at night;
- e. days and hours of operation.

The approved plan shall be implemented upon first use of the commercial uses in phase C1 and thereafter retained.

No amplified sound or any music shall be produced or played in any part of the site outside the building.

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

41) Prior to the first use of the development hereby approved, a detailed landscaped management plan for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include details of how the hard and soft landscaping areas will be maintained including maintenance schedules and repairs. The management plan shall then be implemented as part of the development and remain in place for as long as the development remains in use.

Reason - To ensure that the satisfactory landscaping scheme for the development is maintained in the interest of the character and visual amenity of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

42) Prior to the commencement of each phase of the development, details of the siting, scale and appearance of any associated temporary boundary treatment shall

be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented as part of each phase of development and removed when no longer required.

Reason – In the interest of securing temporary boundary treatment as part of the phasing programme pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

43) 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 16. 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 pursuant to policies SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

44) 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 pursuant to policies SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

## **Informatives**

- Any signage, wayfinding, banners or any other advertisements to be installed in and around the application site for the purpose of the promotion of the developments and routes to it may require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- 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/Crane-notification/>  
It is important that any conditions or advice in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Manchester Airport, or not attach conditions which Manchester Airport has advised, it shall notify Manchester Airport, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.
- 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

- Regarding S278 agreements a deposit is required to begin an application, additional costs will be payable and are to be agreed with S278 team. A S278 is required for works to the adopted highway, minimum standard S278 technical approval timescale is between 4-6 months, TRO's can take 10-12 months. An independent 'Stage 2' Road Safety Audit will be required and the design may require changes if any issues are raised with all costs attributable to the Developer. A 'Stage 1' Road Safety Audit should be completed during the planning stage and a copy of the report (with Designer's Response) is to be made available to the Statutory Approvals Team upon request.
- You should ensure that the proposal is discussed in full with Building Control to ensure they meet with the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the development due to conflicts with Building Regulations, you should also discuss the changes with the Planning team to ensure they do not materially affect your permission.

### **Local Government (Access to Information) Act 1985**

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 134307/FO/2022 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

**The following residents, businesses and other third parties in the area were consulted/notified on the application:**

**Planning Casework Unit  
Environmental Health  
MCC Flood Risk Management  
Highway Services  
Neighbourhood Team Leader (Arboriculture)  
Work & Skills Team  
Greater Manchester Ecology Unit  
Environment Agency  
Greater Manchester Archaeological Advisory Service  
Greater Manchester Police  
Historic England (North West)  
Manchester Airport Safeguarding Officer  
National Amenity Societies  
Transport For Greater Manchester  
United Utilities Water PLC**

**A map showing the neighbours notified of the application is attached at the end of the report.**

**Representations were received from the following third parties:**

**Relevant Contact Officer :** Jennifer Atkinson  
**Telephone number :** 0161 234 4517  
**Email :** [jennifer.atkinson@manchester.gov.uk](mailto:jennifer.atkinson@manchester.gov.uk)

