

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130664/P14J/2021

Date registered valid: 1 June 2021

Proposal: Notification for Prior Approval for the installation of solar photovoltaic (PV) equipment

Address: Space Studios, 2 Vaughan Street, Manchester, M12 5FQ

Ward(s): Ardwick Ward

Applicant: Mr Dipak Shah Ameresco Limited 3rd Floor, 14-16 Dowgate Hill, London, EC4R 2SU

Agent (if any): Mr David Tye Paul Butler Associates Ltd 31 Blackfriars Road, Manchester, M3 7AQ

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 23 July 2021

Application details

Type of application: Prior approval - PV to non-dwelling

Development type: Notifications

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 9 June 2021 Expired: 30 June 2021

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

This application relates to the site of Space Studios, which is a purpose built facility for high end TV, film and commercial production, which sits alongside its sister facility 'Outer Space Studios'. The two facilities combined offer more than 85,000 square feet of high spec stages plus purpose designed dressing and make up facilities, laundry, prop storage / workshops and extensive parking. The two groups of buildings are arranged to either side of a central dedicated car park.

Although enjoying a complementary relationship 'Space Studios' and 'Outer Space Studios' were approved and implemented at different times and have evolved as two separate facilities. The approval for 'Space Studios' (102895/VO/2013/N2) was granted in 2013 and the approval for 'Outer Space Studios' (112014/VO/2016/N2) was granted in 2016 within an entirely separate development site boundary. It is therefore accepted that these are two separate facilities, each of which benefits from their own permitted development rights.

Space Studios lies to the west of the central parking area and is open 7 days a week with 24 hour access in some areas.

The Space Studios site currently has PV installed as part of a Phase 1 solar installation, although there is no record of any prior approval for that array. That PV equipment is installed on the roof of Space Studios and the existing capacity is 270 kWp. The PV equipment, proposed by this application is also to be sited on the rooves of the Space Studio buildings, in two arrays on the main flat roof with a third array

above the lower flat roof of the prop store building. These arrays have a capacity 648.00kWp, which would give a total capacity for the site of 918.00kWp.

Both these rooves have parapet walls around their perimeters which exceed the height of the solar panels, so the panels would not be visible at ground level.

An accompanying application has been received for Notification of Prior Approval for the installation of solar photovoltaic (PV) equipment on the Outer Space studios (130665/P14J/2021).

Consultations & Notification Responses

Local residents - No comments received.

Issues

Class J of Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 relates to the installation or alteration etc of solar equipment on non-domestic premises. This allows the installation, alteration or replacement of:

- (a) microgeneration solar thermal equipment on a building;
- (b) microgeneration solar PV equipment on a building; or
- (c) other solar PV equipment on the roof of a building, other than a dwellinghouse or a block of flats.

J.1 Development is not permitted by Class J if—

- (a) the solar PV equipment or solar thermal equipment would be installed on a pitched roof and would protrude more than 0.2 metres beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof slope;
- (b) the solar PV equipment or solar thermal equipment would be installed on a flat roof, where the highest part of the solar PV equipment would be higher than 1 metre above the highest part of the roof (excluding any chimney);
- (c) the solar PV equipment or solar thermal equipment would be installed within 1 metre of the external edge of that roof;
- (d) in the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a roof slope which fronts a highway;
- (e) the solar PV equipment or solar thermal equipment would be installed on a site designated as a scheduled monument; or
- (f) the solar PV equipment or solar thermal equipment would be installed on a listed building or on a building within the curtilage of a listed building.

In relation to this application the applicant has confirmed the following:

- The solar PV equipment would be installed on flat rooves. The highest part of the solar PV equipment would be no higher than 1 metre above the highest part of each roof, and the panels will also sit below each existing roof parapet.
- The solar PV equipment is to be installed entirely on roof areas and no part of the installation will lie within 1 metre of the external edge of each roof.

- The site is not on article 2(3) land, designated as a scheduled monument, nor does it contain any listed buildings.
- The capacity of the solar PV equipment installed to generate electricity at the site will not exceed 1 megawatt.
- The solar PV equipment has been so far as practicable, sited so as to minimise its effect on the external appearance of the building and the amenity of the area. It will sit below the existing parapets of each roof and will not be visible from ground level or any surrounding buildings.
- The solar PV equipment will be removed as soon as reasonably practicable when no longer needed.
- The proposed panels will not result in any impact in terms of glare on occupiers of neighbouring land.

The submitted details, and site circumstances, confirm that the statements of the applicant are correct. Primarily the proposed arrays would be no higher than 1 metre above the highest part of the roof, would not be installed within 1 metre of the external edge of that roof and would not have an overall capacity for the site that exceeds 1 megawatt.

Both these rooves have parapet walls around their perimeters which exceed the height of the solar panels, so the panels would not be visible at ground level and it considered that the equipment has been sited so that there is no significant impact on the external appearance of the building or the amenity of the area. The proposed panels therefore meet the requirements of the above regulations and in this instance, the prior approval of the local planning authority is not needed.

The submitted plans include a construction plan which indicates the location of access towers and roof barriers. The applicant has confirmed that these are temporary features, needed for the installation of the arrays only and they will be removed when the works are completed. Installation/construction works are anticipated to last for around 8 weeks and it is anticipated that the access towers and roof barriers will take no more than 4 weeks to remove, meaning that the structures should be on site for a maximum of 12 weeks.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

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

1) The proposed development raises no adverse issues in respect of external appearance, glare or the general visual amenity of the area and accords with the requirements of Class J of Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 as amended.

Therefore, consent is hereby granted in accordance with the following information submitted as part of planning application referenced 130664/PJ4J/2021:

- Planning Application Form
- Site location plan
- Drawings titled 'Space Studios Phase 2' and numbered ABS994 001 rev 003, ABS994 005 rev 003 and ABS994 006 rev 001
- Letter from Paul Butler Associates dated 28 May 2021 (ref:21.1557/SpaceStudios/ljr01dt)
- Longi Solar Panel Datasheets.
- Van der Valk Solar Panel Support Mount Datasheets.
- Solis Inverter Datasheets.

All stamped as received by the City Council as Local Planning Authority on 1 June 2021.

The email from David Tye, dated 22 July 2021, which confirms that the access towers and roof barriers, indicated on drawing number ABS994 005 rev 003, are temporary features, needed for the installation of the arrays only, that Installation/construction works are anticipated to last for around 8 weeks and that the access towers and roof barriers will be removed within 4 weeks of the installation/construction works being completed.

Appendix 1 – List of consultees & neighbours notified

113 Vaughan Street, Manchester, M12 5DU
22 Wenlock Way, Manchester, M12 5TG
24 Wenlock Way, Manchester, M12 5TG
28 Wenlock Way, Manchester, M12 5TG
30 Wenlock Way, Manchester, M12 5TG
26 Wenlock Way, Manchester, M12 5TG
32 Wenlock Way, Manchester, M12 5TG
2 Kelsall Street, Manchester, M12 5GU
46 Wenlock Way, Manchester, M12 5TG
48 Wenlock Way, Manchester, M12 5TG
40 Wenlock Way, Manchester, M12 5TG
50 Wenlock Way, Manchester, M12 5TG
38 Wenlock Way, Manchester, M12 5TG
42 Wenlock Way, Manchester, M12 5TG
44 Wenlock Way, Manchester, M12 5TG
34 Wenlock Way, Manchester, M12 5TG
36 Wenlock Way, Manchester, M12 5TG
54 Wenlock Way, Manchester, M12 5TG
56 Wenlock Way, Manchester, M12 5TG
58 Wenlock Way, Manchester, M12 5TG
THE BEST REST BEDS UK LIMITED, Cumber House, 127 - 129 Bennett Street, Manchester, M12 5BW
52 Wenlock Way, Manchester, M12 5TG
60 Wenlock Way, Manchester, M12 5TG
Unit B1, 135 Bennett Street, Manchester, M12 5BW
Unit C, 135 Bennett Street, Manchester, M12 5BW
Unit B, 135 Bennett Street, Manchester, M12 5BW
Unit A, 135 Bennett Street, Manchester, M12 5BW
1 Kelsall Street, Manchester, M12 5GU
135 Bennett Street, Manchester, M12 5BW
Bennet Street Warehouse (Fujitsu), Wenlock Way, Manchester, M12 5AQ
Unit 5, Cumber House, 127 - 129 Bennett Street, Manchester, M12 5BW
Unit 3B, Cumber House, 127 - 129 Bennett Street, Manchester, M12 5BW
Unit 3A, Cumber House, 127 - 129 Bennett Street, Manchester, M12 5BW
Unit 2, Cumber House, 127 - 129 Bennett Street, Manchester, M12 5BW
151 Bennett Street, Manchester, M12 5BH
153 Bennett Street, Manchester, M12 5BW

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH2