

Planning

Growth & Development

Delegated officer report for planning application

Application no.	130666/P14J/2021
Date registered valid:	1 June 2021
Proposal:	Prior Notification application for the installation of 319 PV panels on the roof
Address:	The Wythenshawe Forum Centre, Forum Square, Simonsway, Manchester, M22 5RX
Ward(s):	Woodhouse Park 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, Salford, Manchester, M3 7AQ
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	2/8/21

Application details

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

Development type: Notifications

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 11 June 2021 Expired: 2 July 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/area

The Wythenshawe Forum is a multi-use/multipurpose building which was built in the early 1970's which provides a range of services to the residents of Wythenshawe. The building was fully refurbished in 2003 with new heating, lighting and extra external cladding. The three-storey facility is constructed in concrete frame, brickwork, external cladding and metal roof. The building houses a Wet Leisure Centre including 2 swimming pools, Library, Nursery, Café, Adult Education Centre (MAES), Job Centre+ along with some small retail units. The site lies within the designated boundary of Wythenshawe District Centre.

Listed building: no

Conservation area: no

Tree Preservation Order: no

Description of development

The applicant is seeking Prior Approval consent for the installation of 319 PV panels on the roof

Consultations & Notification Responses

Local Residents/Businesses – no comments received.

Aerodrome Safeguarding Officer – suggests the imposition of a condition requiring the applicant to submit a glint and glare assessment prior to the installation of the panels.

Issues

Permitted development – The proposal would be permitted by The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 14 Renewable Energy, Class J, relating to the installation of solar PV equipment on the roof of a building in the basis that:

- The solar PV equipment would be installed on shallow sloping pitched roofs but no part of the installation would protrude more than 0.2 metres beyond the plane of any roof slope when measured from the perpendicular with the external surface of the roof slope.
- 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 that 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. The majority of the application area is screened from public view although some parts of the installation may be visible from the car parking area but would not be prominent. Elevational views of the building will remain largely unchanged.
- 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.

Siting and appearance – As the panels are sited away from the edge of the building and are not readily visible from the public domain, it is considered that the quality and appearance of the panels would not adversely impact on the character of the existing building.

Impact of Glare on Neighbouring Land – Given the siting and orientation of the panels and distance to adjoining properties, it is not considered that the proposal would have an impact on adjoining land owners.

Notwithstanding the above, the Aerodrome Safeguarding Officer has recommended that a Glint and Glare Assessment be undertaken to ensure that the proposal does not form an ocular hazard to pilots.

Conclusion – The local planning authority is satisfied that the proposed panels therefore meet the requirements of the above regulations and prior approval is not required.

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

Article 35 Declaration

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, impact of glare on neighbouring properties 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 130666/P14J/2021:

- A) PLANNING APPLICATION FORM
- B) LOCATION PLAN WITH A RED EDGE;
- C) DRAWING NOS. 001 REV 2, 002 REV 002 AND 006 REV BAUDER SOLAR PANEL SUPPORT DATASHEET
- D) JASOLAR PANEL DATASHEET

E) SOLIS INVERTER DATA SHEET

all stamped as received by the City Council as Local Planning Authority on 8 June 2021.

2) Installation of the PV panels hereby approved shall not commence until a glint and glare assessment has been submitted to and approved by the City Council as local planning authority in order to confirm that the development hereby approved will not present an ocular hazard to pilots.

Reason - In the interests of aviation safety, pursuant to Policy DM2 in the Manchester Core Strategy Development Plan Document.

Appendix 1 – List of consultees & neighbours notified

Pharmacy, The Forum Centre, Forum Square, Manchester, M22 5RX
Peel Hall Medical Practice, Forum Health, Simonsway, Manchester, M22 5RX
Wythenshawe Forum Nursery, The Forum Centre, Forum Square, Manchester, M22 5RX
Wythenshawe Forum Futures, The Forum Centre, Forum Square, Manchester, M22 5RX
Forum Health, Simonsway, Manchester, M22 5RX
Wythenshawe Forum Library, The Forum Centre, Forum Square, Manchester, M22 5RX

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 15M
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH