

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133496/P14J/2022

Date registered valid: 6 April 2022

Proposal: Prior approval for the Installation of Solar Photovoltaics (PV) equipment on roof

Address: Virgin Media, Timpson Road, Manchester, M23 9WX

Ward(s): Brooklands Ward

Applicant: Egg Turnkey Park, Royds Lane, Leeds, LS12 6AD

Agent (if any): Mr Arbon Caulmert Ltd Strelley Hall, Main Street, Strelley, Nottingham, NG8 6PE

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 16.05.2022

Application details

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

Development type: Notifications

Date of site visit: 12th April 2022

Standard consultations:

Printed: 12 April 2022 Expired: 3 May 2022

Neighbour notifications

Printed: 12 April 2022 Expired: 3 May 2022

Site notice

Posted: 12 April 2022 Expired: 3 May 2022

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: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application site is a commercial building used as offices and warehousing for Virgin Media Group to the North of a railway line and to the west of Southmoor Road. The Baguely district centre is situated to the north and there are residential properties across Southmoor Road to the east separated by the road and Metrolink line.



View from Timpson Road of the Virgin Media buildings showing roof profile

Description of development

The proposals seek the prior approval of the Council for the installation of rooftop mounted PV solar panels, the roof of the building has a series of pitches with the panels proposed to be mounted on these set in from the roof edge and not protruding more than 0.2m from the roof plane.

Consultations & Notification Responses

Local Residents/Occupiers - No representations received.

Manchester Airport Aerodrome Safeguarding Officer - Recommends a glint and glare assessment be a pre-commencement requirement of the installation of the PV cells to ensure that the installation does not have an unacceptable impact on aviation.

Network Rail - No comments.

Issues

In accordance with The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 14 Renewable Energy, Class J as amended the installation of solar PV equipment on the roof of a building is regarded as 'permitted development' subject to an application being made to the local planning authority for determination as to whether prior approval is necessary.

On the basis of the scheme being considered as a whole, the proposals can however be considered under the Permitted Development regulations, as the power output does not exceed 1MW.

No part of the installation 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. The highest part of the solar PV equipment would be no higher than 1 metre above the highest part of the roof, and the installation will also sit below the existing roof parapet wall.

The proposed 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 does 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 solar PV equipment is to be removed as soon as reasonably practicable when no longer needed.

Given the surrounding context, the proposed panels are highly unlikely to result in any impact in terms of glare on occupiers of neighbouring land. The proposed material used for the panels is unlikely to result in glare however on the advice of the Aerodrome Safeguarding Officer at Manchester Airport a glint and glare assessment is required to be submitted for approval prior to installation to ensure there are no impacts from glint and glare on aviation within the area.

On the basis of the criteria, which has been cross referenced with the relevant legislation contained within Schedule 2, Part 14 Renewable Energy, Class J of the GPDO, the proposed installation is considered permitted development.

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, 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 received on 6th April 2022 :

VM-BAGULEY-006 REV 00 GENERAL LAYOUT

VM-BAGULEY-006 REV 00 SOLAR PANEL LAYOUT

2) Prior to any development commencing, an aviation perspective glint and glare assessment shall be submitted to and approved in writing by the City Council as local planning authority. The assessment will be required to have no predictions of Red or Yellow glare for all departure and arrival routings, including circuits and Air Traffic Control at Manchester International Airport.

Reason - To prevent ocular hazard and distraction to pilots using Manchester Airport pursuant to policy DM2 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Manchester Airport Safeguarding Officer
Network Rail

British Energy Plc, Timpson Road, Manchester, M23 9LL

Appendix 2 – Planning constraints

Article 4 Direction - Wythenshawe PD Restriction - Class B1(c) To C3
Article 4 Direction - Wythenshawe PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH