

PLANNING

GROWTH & DEVELOPMENT

DELEGATED OFFICER REPORT FOR PLANNING APPLICATION

Application no. 143537/P14J/2025

Date registered valid: 23 July 2025

Proposal: Prior Approval application for the installation of roof top solar PV equipment (maximum kWp of 74.52).

Address: Ladybarn Primary School, Briarfield Road, Manchester, M20 4SR

Ward(s): Withington Ward

Applicant: Ms Sara Garcia, Barker Associates

Agent (if any): Ms Sara Garcia, Barker Associates

Case officer: Joshua Lee
Tel: 0161 219 2851
Email: joshua.lee@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 15 September 2025

APPLICATION DETAILS

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

Development type: Notifications

Date of site visit: 05 August 2025

Standard consultations: Printed: 25 July 2025 Expired: 15 August 2025

Neighbour notifications: Printed: 25 July 2025 Expired: 15 August 2025

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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of site/building

The proposal relates to a low-rise primary school building on Briarfield Road. The school buildings sit within the wider site which feature hardstanding and grassed school playing fields.



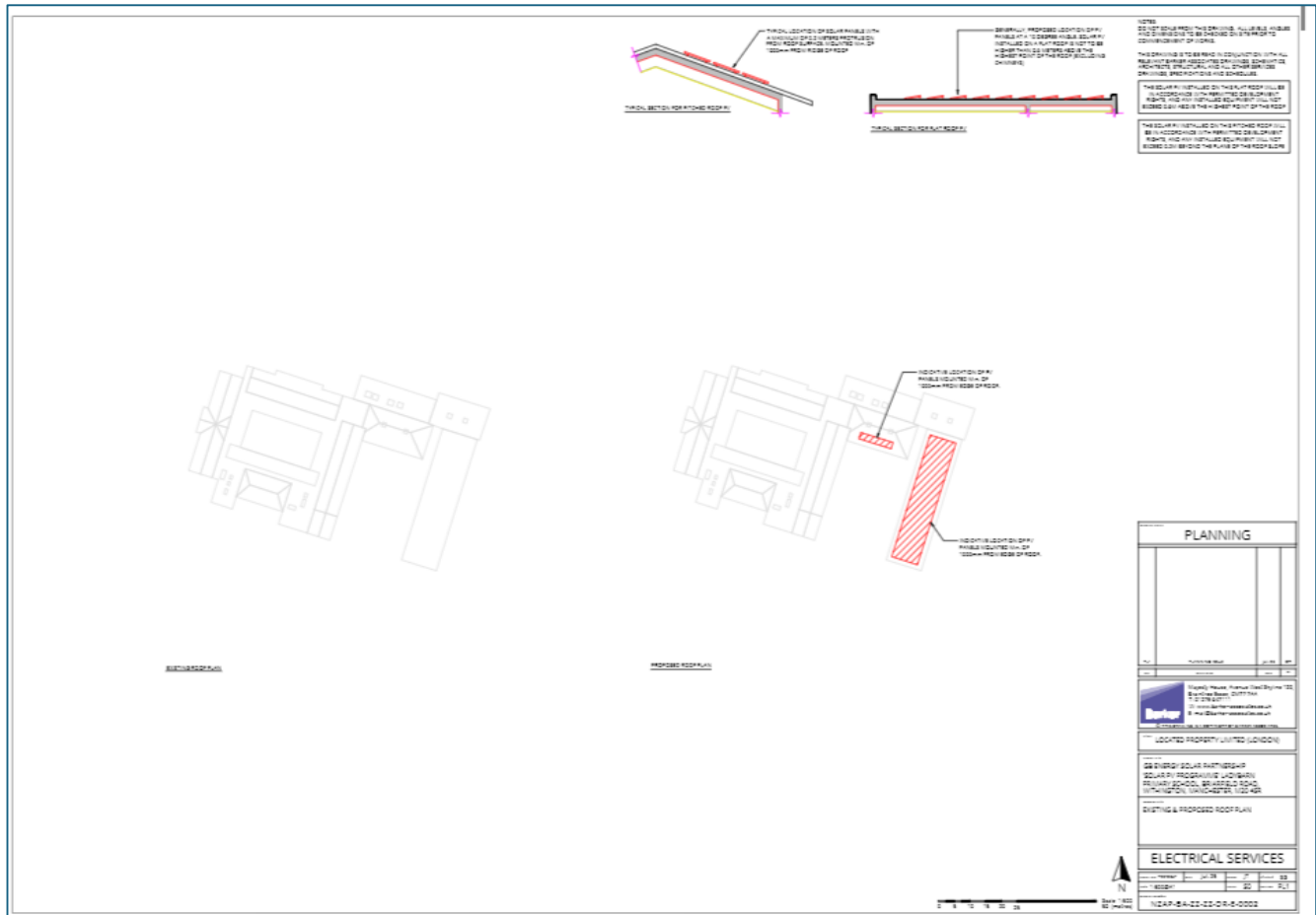
Description of area

The site is in a mostly residential part of the Withington ward of Manchester. Ladybarn Group GP practice sits directly adjacent on Briarfield Road and Ladybarn Park sits at the rear boundary.

Description of development

Prior Approval application for the installation of roof top solar PV equipment (maximum kWp of 74.52).

The proposed PV equipment would sit mostly on a newer flat sloping roof building (Approved in 2013) and partially on a pitched roof building.



PLANNING HISTORY

107032/JO/2014/S1

Description: Variation of condition no. 3 to planning permission ref: 103730/FO/2013/S1 to allow elevational alterations and reduction in height of sports hall

Decision: Approved 03/12/2014

103730/FO/2013/S1

Description: Erection of single-storey extension to form 6no. new classrooms, hall and associated ancillary rooms to replace existing temporary classrooms

Decision: Approved 21/11/2013

101250/VO/2012/S1

Description: CITY COUNCIL DEVELOPMENT Erection of single-storey building to form four classrooms to enable the removal of temporary classrooms

Decision: Approved 13/02/2013

CONSULTATION, NOTIFICATION & PUBLICITY RESPONSES

Consultations

Manchester City Council Environmental Health

Manchester City Council Environmental Health were consulted on this application and had no comments to make.

Manchester Airport Aerodrome Safeguarding

Manchester Airport Aerodrome Safeguarding has no objection the proposed development subject to the attachment of an informative.

Network Rail

Network Rail were consulted as an adjacent landowner and had no issues with the proposal.

Notifications

Local Residents

No representations received.

RELEVANT POLICIES & THE PRINCIPLE OF DEVELOPMENT

Relevant Policies

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise.

The following policies are considered relevant.

- [The National Planning Policy Framework \(The NPPF\)](#) –
 - o Section 2 - Achieving sustainable development
 - o Section 4 – Decision-making
 - o Section 5 – Delivering a sufficient supply of homes
 - o Section 6 – Building a strong, competitive economy
 - o Section 12 – Achieving well-designed places
 - o Section 14 - Meeting the challenge of climate change, flooding and coastal change
- [The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#)
 - o Schedule 2
 - Part 14 - Renewable energy
 - Class J - installation or alteration etc of solar equipment on non-domestic premises
- [The town and country planning \(safeguarded aerodromes, technical sites and military explosives storage areas\) direction 2002](#)

Principle

The application is for prior approval where the principal of the development is set out in law. The City Council as LPA can assess the development against the conditions within the legislation as set out below.

THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015

Part 14, Class J

Development not permitted if –

J.1 Development is not permitted by Class J if—	Comments
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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;	The proposed will be partly installed on a pitched roof as shown on drawing NZAP-BA-ZZ-ZZ-DR-E-0002; and the solar PV equipment will not 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);	The proposed will be partly installed on a flat roof as shown on drawing NZAP-BA-ZZ-ZZ-DR-E-0002; and the solar PV equipment would not be higher than 1 metre above the highest part of the roof
c. the solar PV equipment or solar thermal equipment would be installed on a roof and within 1 metre of the external edge of that roof;	The solar PV equipment will not be installed within 1 metre of the external edge of the roofs as shown on drawing NZAP-BA-ZZ-ZZ-DR-E-0002
d. [Omitted 2023]	Not applicable
e. the solar PV equipment or solar thermal equipment would be installed on a site designated as a scheduled monument	The solar PV equipment is not being installed on a site designated as a scheduled monument
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	the solar PV equipment is not being installed on a listed building

Conditions

J.4 Class J development is permitted subject to the following conditions	Comments
1) J.4—(1) Class J development is permitted subject to the following conditions— a) the solar PV equipment or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the external appearance of the building and the amenity of the area; and b) the solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.	The solar PV equipment is located on a pitched roof facing into the school site and on a flat roof. Both installations have been sited, so far as practicable, to minimise its effect on the building and amenity of the area. A condition has been added to ensure removal when no longer required.
2) Class J(c) development is permitted subject to the condition that before beginning the development the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the design or external appearance of the development, in particular the impact of glare on occupiers of neighbouring land, and the following sub-paragraphs apply in relation to that application.	Application received 23 July 2025.
3) The application must be accompanied by— a) written description of the proposed development. b) a plan indicating the site and showing the proposed development. c) the developer's contact address; and	Application with required documents received 23 July 2025

<p>d) the developer's email address if the developer is content to receive communications electronically.</p> <p>e) together with any fee required to be paid.</p>	
<p>4) The local planning authority may refuse an application where, in the opinion of the authority—</p> <p>a) the proposed development does not comply with, or</p> <p>b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with,</p> <p>any conditions, limitations or restrictions specified in Class J applicable to the development in question.</p>	<p>The application complies with the conditions limitations and restrictions as set out.</p>
<p>5) Sub-paragraphs (6) and (8) do not apply where a local planning authority refuses an application under sub-paragraph (4) and for the purposes of section 78 (appeals) of the Act such a refusal is to be treated as a refusal of an application for approval.</p>	<p>Sub-paragraphs (6) and (8) applicable.</p>
<p>6) The local planning authority must give notice of the proposed development—</p> <p>a) by site display in at least one place on or near the land to which the application relates for not less than 21 days of a notice which—</p> <p>i) describes the proposed development;</p> <p>ii) provides the address of the proposed development;</p> <p>iii) specifies the date by which representations are to be received by the local planning authority; or</p> <p>b) by serving a notice in that form on any adjoining owner or occupier.</p>	<p>Local residents (as listed in Appendix 1) were notified by letter on 25 July 2025 and had 21 days to respond.</p> <p>Manchester City Council Environmental Health were notified of the proposed development on 25 July 2025 and had 21 days to respond.</p> <p>Manchester Airport Safeguarding were notified of the proposed development on 25 July 2025 and had 21 days to respond.</p> <p>Network Rail were notified of the proposed development on 21 August and had 21 days to respond.</p>
<p>7) The local planning authority may require the developer to submit such information as the authority may reasonably require in order to determine the application.</p>	<p>No further information required.</p>
<p>8) The local planning authority must, when determining an application—</p> <p>a) take into account any representations made to them as a result of any notice given under sub-paragraph (6); and</p> <p>b) have regard to the National Planning Policy Framework issued by the Ministry of Housing, Communities and Local Government in July 2021, so far as relevant to the subject matter of the prior approval, as if the application were a planning application.</p>	<p>No public representations received.</p> <p>Manchester City Council Environmental Health had no comments to make.</p> <p>Manchester Airport Aerodrome Safeguarding has no objection the proposed development subject to the attachment of a condition regarding bird proofing and an informative regarding tall equipment.</p> <p>Network Rail had no issues with the proposed installation.</p> <p>The NPPF states how “Local planning authorities should also give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels)” Para 167. The proposed development aligns with the NPPF.</p>

9) The development must not begin before the occurrence of one of the following— a) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required; b) the receipt by the applicant from the local planning authority of a written notice giving their prior approval; or c) the expiry of 56 days following the date on which the application under sub-paragraph (3) was received by the local planning authority without the authority notifying the applicant as to whether prior approval is given or refused.	The decision notice forms the written notice giving prior approval.
10) The development must be carried out— a) where prior approval is required, in accordance with the details approved by the local planning authority; b) where prior approval is not required, or where sub-paragraph (9)(c) applies, in accordance with the details provided in the application referred to in sub-paragraph (3), unless the local planning authority and the developer agree otherwise in writing	Specified plan condition attached to decision for approval.
11) The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval.	Relevant conditions attached to decision for approval.
12) When computing the number of days in paragraph (6)(a), any day which is a public holiday must be disregarded	Not applicable

OTHER LEGISLATIVE REQUIREMENTS

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved 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.

CONCLUSION

The proposed installation of rooftop solar PV panels at Ladybarn Primary School complies with the relevant provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 and raises no adverse impacts on visual amenity, neighbouring properties, or safeguarded interests. The development supports national and local objectives for renewable energy and sustainability.

RECOMMENDATION

1. Prior Approval

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 143537/P14J/2025:

a)	Application Form	23 Jul 2025	APPLICATION FORM	
b)	Drawing - Site Plan	23 Jul 2025	NZAP-BA-ZZ-ZZ-DR-E-0001	BLOCK PLAN
c)	Drawing - Existing & Proposed PLANS	23 Jul 2025	NZAP-BA-ZZ-ZZ-DR-E-0002	ROOF
d)	Drawing - Existing & Proposed ELEVATIONS	23 Jul 2025	NZAP-BA-ZZ-ZZ-DR-E-0003	
e)	Supporting Information	23 Jul 2025	DESIGNER REPORT	

Reason: to ensure compliance with the Town and Country Planning (General Permitted Development) (England) Order 2015

CONDITIONS TO BE ATTACHED TO DECISION FOR PRIOR APPROVAL

1. Bird proofing

The perimeter of the array will need to be bird proofed as to leave no gap beneath the panels for birds to exploit; birds are attracted to the relative warmth and security afforded underneath solar PV.

Reason: Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Manchester Airport (MAN) that would increase the risk of a Birdstrike to aircraft using MAN. Pursuant to the Town and Country Planning (General Permitted Development) (England) Order 2015.

INFORMATIVE(S)

1. Airport – Tall equipment

The applicant's attention is drawn to the procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>

APPENDIX 1 – LIST OF CONSULTEES & NEIGHBOURS NOTIFIED

Environmental Health

Manchester Airport Safeguarding Officer

51 Briarfield Road, Manchester, M20 4SS
45 Briarfield Road, Manchester, M20 4SS
16 Briarfield Road, Manchester, M19 1BJ
35 Briarfield Road, Manchester, M20 4SS
52 Northbank Gardens, Manchester, M19 1BE
20 Briarfield Road, Manchester, M19 1BJ
14 Briarfield Road, Manchester, M19 1BJ
29 Briarfield Road, Manchester, M20 4SS
39 Briarfield Road, Manchester, M20 4SS
37 Briarfield Road, Manchester, M20 4SS
33 Briarfield Road, Manchester, M20 4SS
50 Northbank Gardens, Manchester, M19 1BE
18 Briarfield Road, Manchester, M19 1BJ
3 Ainsford Road, Manchester, M20 4ST
1 Ainsford Road, Manchester, M20 4ST
55 Briarfield Road, Manchester, M20 4SS
53 Briarfield Road, Manchester, M20 4SS
49 Briarfield Road, Manchester, M20 4SS
47 Briarfield Road, Manchester, M20 4SS
43 Briarfield Road, Manchester, M20 4SS
41 Briarfield Road, Manchester, M20 4SS
31 Briarfield Road, Manchester, M20 4SS

APPENDIX 2 – PLANNING CONSTRAINTS

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: SOUTH AREA