



MANCHESTER
CITY COUNCIL

PLANNING
GROWTH & DEVELOPMENT
DELEGATED OFFICER REPORT FOR PLANNING APPLICATION

APPLICATION NO. 142111/P14J/2025

DATE REGISTERED VALID: 10 February 2025

PROPOSAL: Prior Approval for the installation of a roof mounted solar PV system

ADDRESS: Ground Floor, Hale House, 337 Styal Road, Manchester, M22 5LG

WARD(S): Woodhouse Park Ward

APPLICANT: RR UK (South) Limited

AGENT (IF ANY): Mr Justin Scott Sunbird Solar Solutions

CASE OFFICER: Joshua Lee
Tel: 0161 219 2851
Email: joshua.lee@manchester.gov.uk

RECOMMENDATION: Refuse

DATE OF RECOMMENDATION: 04 April 2025

APPLICATION DETAILS

Type of application:	Prior approval - PV to non-dwelling
Development type:	Notifications
Date of site visit:	12 March 2025
Standard consultations:	Printed: 10 March 2025 Expired: 31 March 2025
Neighbour notifications:	No neighbour notifications have been printed and sent.
Site notice:	Posted: 12 March 2025 Expired: 2 April 2025
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

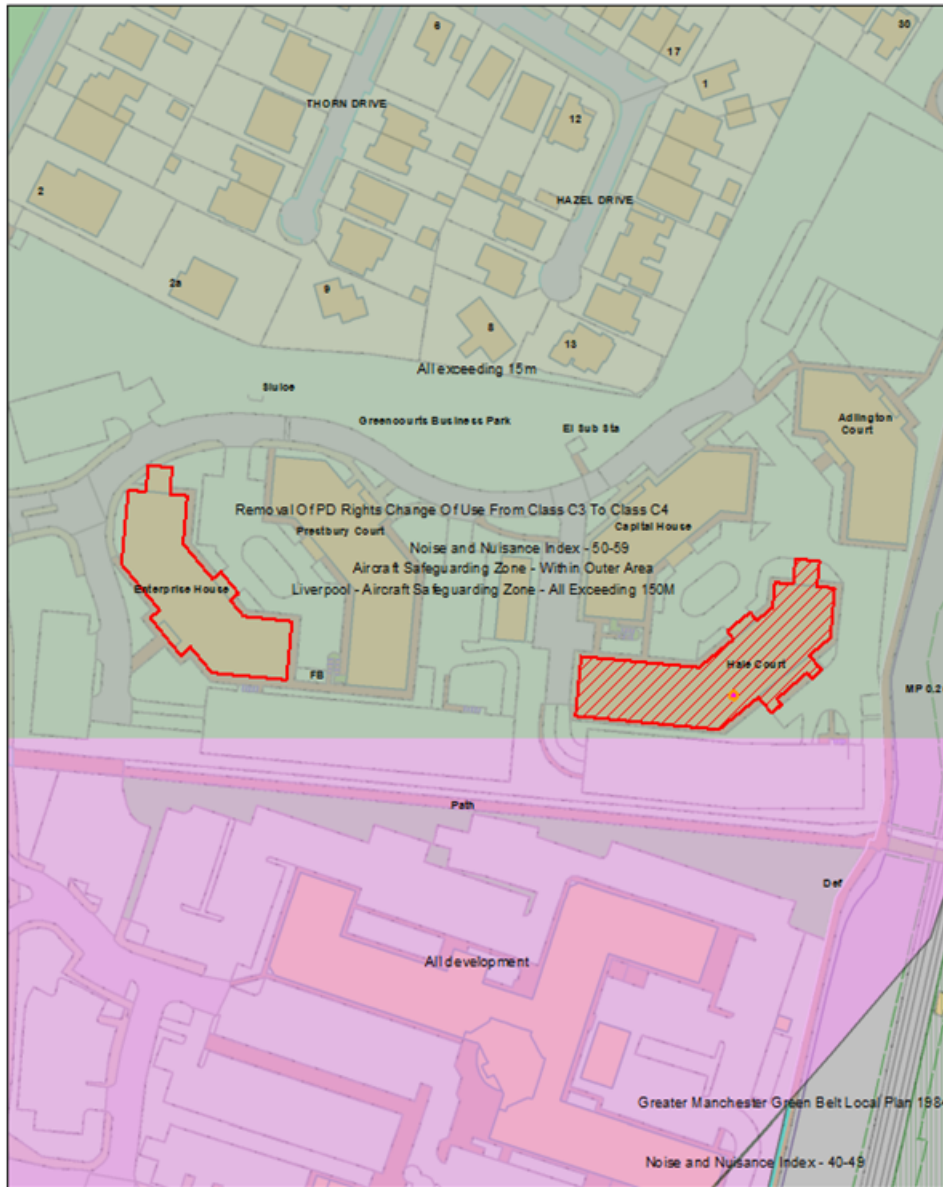
The proposal relates to 2no existing low rise office buildings within the Manchester Green business park on Styal Road.



Figure 1. Street scene

DESCRIPTION OF AREA

The proposal is in a mixed business/residential area of the Woodhouse Park ward of Manchester. The site sits close to the southeastern border of the council area with the national rail line (sitting adjacent) forming the eastern boundary with the Green Belt within Stockport LPA beyond. The property sits within the Outer Area Safeguarding Zone for Manchester Airport and within the 15m development notification zone.



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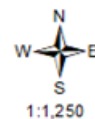


Figure 2. Location plan

Part 14, Class J (c) other solar PV equipment on the roof of a building.

The proposed works is for the installation of a roof mounted solar PV system generating 161.6 kWp, comprising of 372x Astro N5 435W panels or similar.



Decision: Approve 07/06/2016

Decision: Approved 08/09/1994

Decision: Approved 16/11/1993

042505

Description: 2 illuminated 10ftx20ft hoardings

Decision: Approved 22/12/1992

034379

Description: Erection of five no. 2 & 3 storey office blocks with associated car parking, landscaping and roadworks.

Decision: Approve 09/11/1989

CONSULTATION, NOTIFICATION & PUBLICITY RESPONSES

CONSULTATIONS

MANCHESTER AIRPORT SAFEGUARDING OFFICER

Manchester Airport Safeguarding were consulted on this application and placed a holding objection on the proposed development with concerns regarding,

- 1) *The assessment results show significant quantities of glare towards the Manchester Airport Air Traffic Control Tower (ATC)... We would request that the updated SGHAT does not use the trees identified within Appendix D as shielding*
- 2) *Solar panels provide shelter and warmth for birds and therefore are liable to attracting bird populations... Further information is needed as to the measures proposed to prevent birds being attracted to the arrays*
- 3) *Excessive quantities of green glare (low potential for after image) are predicted towards the flight receptors established at Manchester Airport...We would request that an optimisation study is undertaken as to reduce the quantity of overall glare experienced to as low as possible towards receptors established for Manchester Airport*

PUBLICATIONS

SITE NOTICE

No representations received

NEGOTIATIONS

Issues have arisen in the consultation phase which required negotiations in positive and proactive manner.

A holding objection was placed on the proposed development my Manchester Airport due to safeguarding risk to Aerodrome operations which was shared in full with the applicant.

UPDATED PROPOSED DEVELOPMENT.

The applicant provided further details, information and assessments to mitigate the issues identified including updated report and Bird Strike Hazard Assessment,

CONSULTATION, NOTIFICATION & PUBLICITY RESPONSES TO UPDATED DESCRIPTION OF DEVELOPMENT

CONSULTATIONS

MANCHESTER AIRPORT SAFEGUARDING OFFICER

The Safeguarding Officer was unable to review and return the second consultation before the determination date elapsed.

RELEVANT POLICIES & THE PRINCIPLE OF DEVELOPMENT

RELEVANT POLICIES

The application is for prior approval.

The following policies are considered relevant.

- [The National Planning Policy Framework \(The NPPF\)](#) –
 - Section 2 - Achieving sustainable development
 - Section 4 – Decision-making
 - Section 6 – Building a strong, competitive economy
 - Section 12 – Achieving well-designed places
 - Section 14 - Meeting the challenge of climate change, flooding and coastal change
- [The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#)
 - Schedule 2
 - Part 14 - Renewable energy
 - Class J - installation or alteration etc of solar equipment on non-domestic premises

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
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 installed on pitched roofs as shown on drawing GBR041-00-GAD-001_OVERALL SOLAR PV LAYOUT Rev.P0; 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);	Not applicable.
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 that roof as shown on drawing GBR041-00-GAD-001_ OVERALL SOLAR PV LAYOUT Rev.P0;
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 the main roof of the three storey office blocks and has 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 10 Feb 2025. The solar PV equipment is located on the main roof of the three storey office blocks and has been sited, so far as practicable, to minimise its effect on the building and amenity of the area.
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 d) the developer's email address if the developer is content to receive communications electronically. e) together with any fee required to be paid.	Application with required documents received 10 Feb 2025
4) The local planning authority may refuse an application where, in the opinion of the authority— a) the proposed development does not comply with, or b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, any conditions, limitations or restrictions specified in Class J applicable to the development in question.	The application complies with the conditions limitations and restrictions as set out.
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.	Sub-paragraphs (6) and (8) applicable.
6) The local planning authority must give notice of the proposed development— 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— i) describes the proposed development; ii) provides the address of the proposed development; iii) specifies the date by which representations are to be received by the local planning authority; or b) by serving a notice in that form on any adjoining owner or occupier.	A site notice was posted on 12 March 2025. Manchester Airport Safeguarding were notified of the proposed development on 10 March 2025
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.	The local planning authority asked for further information to try and resolve the holding objection from Manchester Airport. The applicant provided.

8) The local planning authority must, when determining an application— a) take into account any representations made to them as a result of any notice given under sub-paragraph (6); and 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.	No public representations received. Manchester Airport Safeguarding were consulted on this application and placed a holding objection on the proposed development with concerns regarding, 1) <i>The assessment results show significant quantities of glare towards the Manchester Airport Air Traffic Control Tower (ATC)... We would request that the updated SGHAT does not use the trees identified within Appendix D as shielding</i> 2) <i>Solar panels provide shelter and warmth for birds and therefore are liable to attracting bird populations... Further information is needed as to the measures proposed to prevent birds being attracted to the arrays</i> 3) <i>Excessive quantities of green glare (low potential for after image) are predicted towards the flight receptors established at Manchester Airport...We would request that an optimisation study is undertaken as to reduce the quantity of overall glare experienced to as low as possible towards receptors established for Manchester Airport</i> The applicant provided further details, information and assessments to mitigate the issues identified including updated report and Bird Strike Hazard Assessment The Safeguarding Officer was unable to review and return the second consultation before the determination date elapsed. The Manchester Airport Safeguarding Officer's holding objection remains unresolved, primarily due to issues related to glare and bird attraction. Consequently, the application must be refused 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.
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;	Specified plan condition attached to decision for approval.

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	
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 application for the installation of a roof-mounted solar PV system at Hale House has been thoroughly reviewed. Despite the applicant's efforts to address concerns raised during the consultation phase, the proposal poses significant aviation hazards to Manchester Airport. The Manchester Airport Safeguarding Officer's holding objection remains unresolved, primarily due to issues related to glare and bird attraction. Consequently, the application must be refused in accordance with Part 14, Class J 4.8 of Schedule 2 of the GPDO 2015.

RECOMMENDATION: REFUSE

REASONS FOR REFUSAL

1. PART 14 CLASS J 4.8 – AIRPORT SAFEGUARDING

The proposed development could pose an aviation hazard to the nearby Manchester Airport Aerodrome and no documents or information that have been provided have satisfied the Manchester Aerodrome Safeguarding officer that could remove a holding objection. The proposal must be refused pursuant to Part 14, Class J 4.8 of Schedule 2 of the GPDO 2015.

APPENDIX 1 – LIST OF CONSULTEES & NEIGHBOURS NOTIFIED

Manchester Airport Safeguarding Officer

APPENDIX 2 – PLANNING CONSTRAINTS

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

Airport Noise Index Zone - Noise and Nuisance Index - 50-59

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 AREA