

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140588/P14J/2024

Date registered valid: 23 July 2024

Proposal: Prior Approval for the Installation of PV solar panels to the rooftop.

Address: Arts And Humanities Building, Manchester Metropolitan University,
Cavendish Street, Manchester, M15 6BG

Ward(s): Hulme Ward

Applicant: Mr Mike Sellors, Castle Owen

Agent (if any): Miss Abigail Baker, DLP Planning Ltd

Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 21 August 2024

Application Details

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

Development type: Notifications

Date of site visit: 24 July 2024

Standard consultations:

Printed: 24 July 2024 Expired: 14 August 2024

Neighbour notifications

Printed: 24 July 2024 Expired: 14 August 2024

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/Area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application site is located to the south of Manchester City Centre within the All-Saints Campus of Manchester Metropolitan University campus.

Oxford Road, which is one of the main arterial routes for buses between the City Centre and South Manchester, borders the building to the east.

The site is within a built-up area, with the Grade II listed Grosvenor Building connected to the west, and the Chatham Building and Geoffrey Manton Building situated to the south.

All Saint's Park is to the north and serves as the central point of the campus, which has recently been heavily renovated to improve the appearance of the public spaces within the campus.

Whilst primarily surrounded by educational uses, there are a range of other uses in the surrounding area, including retail, commercial, bars, fast food establishments, and cafes/restaurants.

The application site is not located within a Conservation Area.

Whilst the main section of the building that concerns this application is not listed, part of the façade on the Cavendish Street side is. A façade retention scheme to redevelop the building was undertaken in the 1970s. The most recent redevelopment took place in 2017 and refers only to the façade as does the amended list description. The description of the listing was

amended in 1994 to refer solely to the façade. It is not considered that this scheme interacts with any listed fabric of this listed asset and therefore an accompanying listed building consent application is not required.

Description of Development

The application seeks prior approval for the installation of PV solar panels to the rooftop.

The PV panels are proposed to be placed on three separate sections of the multilayered roof of the building.

72 no. PV panels are proposed to be placed on the roof of the fourth floor, that faces on to Cavendish Street.

44 no. PV panels are proposed to be placed on the roof of the fifth floor, that borders Oxford Road and the public footpath between the Arts and Humanities Building and the Geoffrey Manton Building.

44 no. PV panels are proposed to be placed on the sixth floor roof that borders Oxford Road and it is enclosed on all other sides by the Arts and Humanities Building.

Consultations & Notification Responses

Highway Services - Do not anticipate a significant impact from a Highways perspective.

Environmental Health – Have confirmed that they have no comment to make on the application.

Helipad – Have not provided a response within the statutory period to the consultation request.

Manchester Airport Safeguarding Officer - Have not provided a response within the statutory period to the consultation request.

Publicity - Neighbour notification letters were sent to surrounding properties. At the time of writing this report, no representations have been received because of this publicity.

Policy and 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.

Complies - The K2 Base Report and accompanying drawings submitted alongside this application demonstrate that the solar panels will be installed on flat roofs, not pitched roofs.

(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).

Complies - The K2 Base Report and accompanying drawings submitted alongside this application demonstrate that the solar panels will be installed on a flat roof and will be less than 1 metres above the highest part of the roof.

(c) the solar PV equipment or solar thermal equipment would be installed within 1 metre of the external edge of that roof.

Complies - The K2 Base Report and accompanying drawings submitted alongside this application demonstrate that the solar panels will be installed on a flat roof and will be installed more than 1 metre from the edge of the 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.

Complies - The site is not within on article 2(3) land.

(e) the solar PV equipment or solar thermal equipment would be installed on a site designated as a scheduled monument; or

Complies - The site is not designated as a scheduled monument.

(f) The equipment will not be installed on a listed building or a building within the curtilage of a listed building.

Complies - The equipment will not be installed on a listed building or a building within the curtilage of a listed building.

J.2 Development is not permitted to Class J(a) or (b) if -

a) The solar PV equipment or solar thermal equipment would be installed on a wall and would protrude more than 0.2 metres beyond the plane of the wall when measured from the perpendicular with the external surface of the wall.

Complies - The equipment will be installed on a flat roof, not a wall.

b) The solar PV equipment or solar thermal equipment would be installed on a wall and within 1 metre of a junction of that wall with another wall or with the roof of the building.

Complies - The equipment will be installed on a flat roof and will be more than 1 metre from the edge of the roof.

c) In the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a wall which fronts a highway.

Complies - The equipment will be installed on a flat roof, not a wall which fronts the highway.

Conclusion

The solar PV equipment has been sited so as to minimise its effect on the external appearance of the building and the amenity of the area. In addition, it is not considered that the installation would give rise to impacts in respect of glare on occupiers of neighbouring land.

As a result, the application proposals meet the requirement of Class J of Part 14, schedule 2 of the General Permitted Development Order 2015 as amended.

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.

Recommendation: Approve

Condition(s) to be attached to decision for approval

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 140588/P14J/2024, received by Manchester City Council as the Local Planning Authority on 23 July 2024:

- Location Plan

Received by Manchester City Council as the Local Planning Authority on 02 August 2024:

- 4th Floor Parapet MMT-ARU-ZZ-ZZ-DR-SE-7203 C4
- 6th Floor Parapet MMT-ARU-ZZ-06-DR-SE-2586 C3
- 7th Floor Parapet MMT-ARU-ZZ-06-DR-SE-2082 C5

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Helipad Manager
Manchester Airport Safeguarding Officer
Highway Services
Manchester Airport Safeguarding Officer

133B Grosvenor Street, Manchester, M1 7HE
Educational Institute, 136 York Street, Ardwick, Manchester, M1 7XN
Manchester Metropolitan University Humanities Building, Rosamond Street West, Manchester, M15 6LL
Ormond Building, Lower Ormond Street, Manchester, M15 6HX
Scruffy Murphys And Holy City, Grosvenor Street, Manchester, M1 7HL
The Pub Zoo, 126 Grosvenor Street, Manchester, M1 7HL
The Footage, Grosvenor Street, Manchester, M1 7DZ
Flat 14, 126 York Street, Ardwick, Manchester, M1 7XN
Flat 13, 126 York Street, Ardwick, Manchester, M1 7XN
Flat 6, 126 York Street, Ardwick, Manchester, M1 7XN
Flat 5, 126 York Street, Ardwick, Manchester, M1 7XN
Flat 17, 126 York Street, Ardwick, Manchester, M1 7XN
Flat 16, 126 York Street, Ardwick, Manchester, M1 7XN
Flat 15, 126 York Street, Ardwick, Manchester, M1 7XN
Flat 12, 126 York Street, Ardwick, Manchester, M1 7XN
Flat 11, 126 York Street, Ardwick, Manchester, M1 7XN
Flat 10, 126 York Street, Ardwick, Manchester, M1 7XN
Flat 9, 126 York Street, Ardwick, Manchester, M1 7XN
Flat 8, 126 York Street, Ardwick, Manchester, M1 7XN
Flat 7, 126 York Street, Ardwick, Manchester, M1 7XN
Flat 4, 126 York Street, Ardwick, Manchester, M1 7XN
Flat 3, 126 York Street, Ardwick, Manchester, M1 7XN
Flat 2, 126 York Street, Ardwick, Manchester, M1 7XN
Flat 1, 126 York Street, Ardwick, Manchester, M1 7XN
129 Oxford Road, Manchester, M1 7DY
Flat 14, Akhtar House, 129 - 135 Oxford Road, Manchester, M1 7DY
Flat 12, Akhtar House, 129 - 135 Oxford Road, Manchester, M1 7DY
Flat 10, Akhtar House, 129 - 135 Oxford Road, Manchester, M1 7DY
Flat 7, Akhtar House, 129 - 135 Oxford Road, Manchester, M1 7DY
Flat 5, Akhtar House, 129 - 135 Oxford Road, Manchester, M1 7DY
Flat 2, Akhtar House, 129 - 135 Oxford Road, Manchester, M1 7DY
133 Grosvenor Street, Manchester, M1 7HE
Top Flat, 129 Oxford Road, Manchester, M1 7DY
135 Grosvenor Street, Manchester, M1 7HE
Manchester Aquatics Centre, 2 Booth Street East, Manchester, M13 9SS
Ground Floor And First Floor, The Deaf Institute, 135 Grosvenor Street, Manchester, M1 7HE
Dominoes Pizza, 126 York Street, Ardwick, Manchester, M1 7XN
137 Oxford Road, Manchester, M1 7DY
Second Floor, 137 Oxford Road, Manchester, M1 7EA
131 Oxford Road, Manchester, M1 7DY
149 Oxford Road, Manchester, M13 9RU
149 - 153 Oxford Road, Manchester, M1 7EE
153 Oxford Road, Manchester, M1 7EE
Basement, 149 - 153 Oxford Road, Manchester, M1 7EE
First Floor, 149 - 153 Oxford Road, Manchester, M13 9RU

131 Grosvenor Street, Manchester, M1 7HE
Second Floor, 149 - 153 Oxford Road, Manchester, M1 7EE
Akhtar House, 129 - 135 Oxford Road, Manchester, M1 7DY
135B Oxford Road, Manchester, M1 7DY
135A Oxford Road, Manchester, M1 7DY
133A Grosvenor Street, Manchester, M1 7HE
Flat 15, Akhtar House, 129 - 135 Oxford Road, Manchester, M1 7DY
Flat 13, Akhtar House, 129 - 135 Oxford Road, Manchester, M1 7DY
Flat 11, Akhtar House, 129 - 135 Oxford Road, Manchester, M1 7DY
Flat 9, Akhtar House, 129 - 135 Oxford Road, Manchester, M1 7DY
Flat 8, Akhtar House, 129 - 135 Oxford Road, Manchester, M1 7DY
Flat 6, Akhtar House, 129 - 135 Oxford Road, Manchester, M1 7DY
Flat 4, Akhtar House, 129 - 135 Oxford Road, Manchester, M1 7DY
Flat 3, Akhtar House, 129 - 135 Oxford Road, Manchester, M1 7DY
Flat 1, Akhtar House, 129 - 135 Oxford Road, Manchester, M1 7DY
Righton Building, Cavendish Street, Manchester, M15 6BG

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: CENTRAL