

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139453/P14J/2024

Date registered valid: 6 March 2024

Proposal: Prior Approval for installation of 213 No PV solar panels

Address: Spire Manchester Hospital, 170 Barlow Moor Road, Manchester, M20 2AF

Ward(s): Didsbury West Ward

Applicant: Mr David Taylor

Agent (if any): Mr David Taylor eEnergy

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

Recommendation: APPROVE

Date of recommendation: 10.04.2024

Application details

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

Development type: Notifications

Date of site visit: 15.03.2024

Standard consultations:

Printed: 8 March 2024 Expired: 30 March 2024

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 15 March 2024 Expired: 7 April 2024

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

Spire hospital is a modern building constructed in the mid 2010s. It sits within a commercial area comprising office and research buildings associated with the Siemens campus and other adjacent office buildings predominantly to the north and east. Residential properties lie to the south on the opposite side of Barlow Moor Road and to the north east, whilst Southern Cemetery lies to the west on Princess Road/Barlow Moor Road separated from the application building by Princess Road.

Description of Proposals

The application relates to prior approval for the installation of PV arrays to two elements of the flat roof of the hospital building and would comprise 213 solar panels in total.

Consultations & Notification Responses

Manchester Airport Aerodrome Safeguarding Officer - No objection.

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.

The highest part of the solar PV equipment would be no higher than 1 metre above the highest part of the roof as confirmed on the applicants submitted application form.

The proposed equipment is to be installed entirely on the roof area and no part of the installation will lie within 1 metre of the external edge of that roof as set out on the submitted application forms.

The site is not designated as a scheduled monument, nor does it contain any listed buildings.

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.

Given the surrounding context, the proposed panels are not considered 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.

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.

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 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:
Submitted application forms; and, site plans as received on the 6th March 2024

Informatives

1) 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

Manchester Airport Safeguarding Officer

Appendix 2 – Planning constraints

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

Article 4 Direction - South Manchester PD Restriction - Class B1(a) To C3

Article 4 Direction - South Manchester PD Restriction - Class B1(c) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA