

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139339/FO/2024

Date registered valid: 7 March 2024

Proposal: Installation of roof mounted Solar Photovoltaic Panels on Ryken, Mayfield and Teresa Quinn buildings

Address: Xaverian College, Lower Park Road, Manchester, M14 5RB

Ward(s): Rusholme Ward

Applicant: Mr Samuel Atkins Avrenim

Agent (if any): Mr Samuel Atkins Avrenim

Case officer: Robert Griffin
Tel: 0161 234 4527
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Recommendation: Approve

Date of recommendation: 15.04.2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 15.03.2024

Standard consultations:

Printed: 12 March 2024 Expired: 4 April 2024

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 15.03.2024 Expired: 07.04.2024

Press advert

Published: 19 March 2024 Expired: 2 April 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: Victoria Park Conservation Area 1972

Tree Preservation Order: N/A

Description of area

The application site forms part of the Xaverian College Campus which is located in Rusholme, Manchester. Xaverian College is an open-access inner city Roman Catholic Sixth Form College, established in 1977, with the student cohort almost entirely full-time aged 16 to 19.

The College occupies a mix of new and converted buildings focussed around an open area green space. Many of the older buildings are former residential villas which have been converted and extended to accommodate educational use. The application site comprises three buildings along the western boundary of the campus.

Description of development

The proposal is to install PV panels to the roofs of three existing modern buildings within the college campus - The Teresa Quinn, Mayfield and Ryken buildings.

In this instance whilst the buildings proposed to be installed with PV equipment are not listed they are considered to be within the curtilage of listed buildings on the Xaverian campus and therefore planning permission is required for these installations and they are not capable of being considered under Class J of part 14, schedule 2 of the General Permitted Development Order 2015 as amended.

Consultations & Notification Responses

Nearby occupiers were notified of the proposals a site notice was posted and an advertisement placed in the Manchester Evening News. No responses were received to this notification process.

Consultees -

Aerodrome Safeguarding Officer at Manchester Airport - The Safeguarding Authority for Manchester Airport has assessed this proposal and its potential to conflict with aerodrome Safeguarding criteria. They have no objections.

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Policies DM1, SP1, EN1, EN3, EN4 of the Manchester Core Strategy;
- Saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester;
- The Guide to Development in Manchester (SPD);
- National Planning Policy Framework (NPPF).
- Places for Everyone Joint Development Plan Document policies - JP-S1, JP-S2

Issues

Principle

The proposed panels will meet an identified need for reducing CO2 emissions by enabling low and zero carbon development.

The NPPF outlines a presumption in favour of sustainable development which includes an environmental and economic component. In this case, both considerations are relevant as the installation has the benefit of reducing carbon emissions whilst lowering energy bills for occupants.

In addition, due to proposed design coupled with the surrounding context, there are no significant concerns surrounding visual amenity. The benefits of the proposal are considered to outweigh any such concerns in this regard and therefore the proposal complies with the adopted planning policy and guidance.

Visual Amenity

The proposed solar PV will be installed on the roofs of three modern buildings within the Xaverian College campus. These elements are flat or with a shallow mono-pitch and given the siting of the buildings it is not considered that there would be unacceptable impacts on the visual amenity of the areas of the Campus.

As the three buildings are located within the curtilage of listed building and within the Victoria Park Conservation Area further consideration of the proposals is required on these designated heritage assets.

Impact to Heritage

S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that: 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

'In the exercise, with respect to any buildings or other land in a conservation area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

Policy EN3 of the Core Strategy, likewise refers to the need for the consideration to be given to the impact of new developments on heritage assets, whilst saved Policies DC18.1 and DC19.1 of the UDP seeks to preserve and enhance the character of its designated conservation areas and the setting of listed buildings respectively .

Relevant to this application, Section 16 of the NPPF relates to Conserving and Enhancing the Historic Environment.

As such the application is accompanied by a proportionate heritage statement.

Mayfield Building

The Mayfield building is the largest of the three having a split shed roof arrangement. It is a modern brick building, part-2, part-3-storeys with a shallow pitched standing seam steel roof over the 3-storey western elevation where the array is proposed. This elevation is 18 metres off the college and conservation area boundary overlooking a low rise commercial building that has a solar array. The western roof slope is visible from three vantage points; Walmer Street East, Denison Street and Dagenham Road. The eastern roof slope faces towards Marylands and will remain blank.

Views in and out of conservation areas is a material consideration that need to be weighed into the planning balance with great weight always given to an assets' conservation (NPPF para.205).

133 no. panels would be sited along the western roof slope covering most of its surface area at a pitch of 20o and 120mm upstand. The panels would be inset 290mm from eaves and ridge and 230mm each side. The most prominent view of this roof is from Denison Street looking into the conservation area where the panels will be visible. There is also an oblique view from Dagenham Road/Oxney Road and a partial view from Walmer Street East when trees are not in leaf.

From the top of Denison Street, there are no visible listed buildings or NDHA's, and the conservation area lacks much of the character for which it has been designated. The only building visible is Mayfield which has a distinctly modern appearance through its design and materials. In this context, the panels will not appear incongruous. They would address the industrial area on the conservation area boundary and be read alongside the panels on the single storey commercial building. There are no concerns that the placement of PV's in this location will harm the character of the conservation area. In other views, the panels will be relatively imperceptible owing to oblique angles and the roof pitch. The impact on the conservation area and NDHA's is considered to be negligible and is less than substantial in NPPF terms.

The proposal offers significant public benefits in terms of substantial CO2 emissions savings - 49,638kg per year when combined with the savings at Ryken, and almost 60,000kg¹¹ annually overall when the TQ PV's are included. This makes a positive contribution towards the city's stated aim of reducing CO2 emissions as set out in Core Strategy policy EN4 and in its Climate Change Action Plan (2020-2025).

Paragraph 164 of the NPPF gives significant weight to energy efficiency and low carbon heating within existing buildings. Where heritage assets are affected, it states that consideration of the

guidance in Chapter 16 must also be regarded. It is considered that the significance and setting of designated and NDHA's would be conserved by any approval of the proposal in this location.

Ryken Building

The Ryken building stands closest to heritage assets within the site curtilage and NDHA's outside the boundary. It is a modern brick building orientated north-south with the southern end being 3-storeys, dropping to 2-storeys towards the north, and has a low-pitch, butterfly profile, standing seam roof.

123no. panels will be sited on the southern and western sections of roof, 49 metres west of the Firwood building, 92 metres southwest of Marylands and 14 metres east of the NDHA's off Thurloe Street. It is broadly the same height or lower than Firwood from which it is screened by intervening extensions on its western elevation and is in part higher than the Church of St. Edward and Theological Institute NDHA's outside the boundary. There are long-range views across the central lawn to Marylands. The panels would be sited at a pitch of 10° on the same plane as the roof with an upstand of 120mm and set in 555mm from each edge. Owing to the height, low pitch, and roof profile there will be little perceptible difference in the appearance of the Ryken building from its public vantage points on Thurloe Street, Crescent Range and Walmer Street East within the conservation area. At most, there could be a very small change in outline of the roof profile. However, this would only be visible from some distance away, which will diminish any perception of the panels.. The PVs could have been raised to increase their solar efficiency; however, this would make them more visible and disrupt the Ryken skyline to negative effect. As proposed, development in this location is assessed as having less than substantial harm in NPPF terms on the setting of designated and non-designated heritage assets.

Paragraph 208 of the NPPF provides that where there is less than substantial harm, the public benefits of a proposal must be weighed into the planning balance. When combined with the savings at Mayfield, the installation results in sizable CO2 savings of almost 50,000kg a year. It is considered that the significance and setting of designated and NDHA's would be conserved by any approval of the proposal in this location.

Teresa Quinn Building

The TQ building is 2-storey with a flat roof contained behind a 2000mm high parapet. It is located close to the northwestern campus boundary, being visible from Dagenham Road / Regent Place. The GII listed Marylands building is located 74 metres to the east. 46no. panels would be sited due south at a 10° tilt with a 330mm upstand to maximise solar gain. This array would save 9,435kg of CO2 emissions a year. Owing to the height of the parapet there would be no visibility of the panels at all from ground level. The setting of designated and NDHA's would therefore be unaffected by the proposal and would be sustained and conserved in accordance with paragraphs 203 and 205 of the NPPF.

Glint and Glare

It is recognised that PV installations can sometimes be a source of glint and glare. In this instance it is considered that given the siting of the three buildings and proposed PV panels which are predominantly separated from residential properties by intervening other buildings, trees, roads and industrial units it is not considered that the proposals would give rise to impacts on residential amenity. The Aerodrome Safeguarding Officer at Manchester Airport has confirmed that there are no objections arising from the proposals on airport operations.

Conclusion

The PV arrays have a low-key impact owing to the heights of buildings, roof pitches, low upstands, and the distance from key heritage assets within the college campus. Care has been taken with the siting of panels to minimise visual clutter and the limited views of them

from outside of the conservation area specifically on the Mayfield building would be clearly associated with a modern campus building.

Overall, the proposals would be sited in visually discreet locations which pose no risk of harm to the character or setting of heritage assets. There would be no perceptible harm to the conservation area skyline, or to the setting of listed buildings and NDHA's within and outside the designated boundary.

The levels of any harm from installing the panels has been identified as less than substantial and is sufficiently outweighed by the public benefits to justify installation. Any approval of the proposal will enable the college to transition to a low carbon future and make significant CO2 emissions savings annually which is supported and in accordance with NPPF paragraphs 8c, 157, 163 and 164, Core Strategy policy EN4 and within the city's Climate Change Action Plan.

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

Article 35 Declaration

The application has been determined in a positive and proactive manner. In this instance no issues have arisen and a decision has been issued within statutory timescale's.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

PR071-AG-MB-RF-DR-M-XX01 P1	ROOF PLAN
PR071-AG-MB-RF-DR-M-XX01 P1	SECTIONAL VIEW
PR071-AG-RB-RF-DR-M-XX01 P1	RYKEN BUILDING ROOF PLAN
PR071-AG-RB-ZZ-DR-M-XX01 P1	RYKEN BUILDING SECTIONAL VIEW
PR071-AG-TQ-RF-DR-M-XX01 P1	TQ BUILDING ROOF PLAN
PR071-AG-TQ-ZZ-DR-M-XX01 P1	TQ BUILDING SECTIONAL VIEW

All as received by the City Council as local planning authority on the 7th March 2024

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) The solar PV equipment hereby approved, shall be removed and the roofs reinstated as soon as the equipment is no longer required.

Reason - In the interests of visual amenity as the site is located within a designated heritage asset so careful attention to building work is required to protect the character and appearance of the asset in accordance with policies SP1, EN1, EN3 and DM1 of the Manchester Core Strategy and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design
Manchester Airport Safeguarding Officer
Rusholme, Fallowfield & Moss Side Civic Society

Appendix 2 – Planning constraints

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Victoria Park Conservation Area 1972
Area Team Boundary - Name: SOUTH AREA