MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139023/P14J/2024
Date registered valid:	16 January 2024
Proposal:	Prior approval for the installation of roof mounted solar array
Address:	Parrs Wood High School, Wilmslow Road, Manchester, M20 5PG
Ward(s):	Didsbury East Ward
Applicant:	Mr Brian Taylor E.ON Control Solutions Limited
Agent (if any):	Miss Leah Boyle Cogeo Planning and Environmental Services Ltd
Case officer:	Joshua Lee Tel: 0161 219 2851 Email: joshua.lee@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **19/02/2024**

Application details

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

Development type: Notifications

Date of site visit: 26/01/2023

Standard consultations:

Printed: 18 January 2024 Expired: 8 February 2024

Neighbour notifications

Printed: 18 January 2024 Expired: 8 February 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/building

The proposal relates to the buildings of Parrs Wood High School.

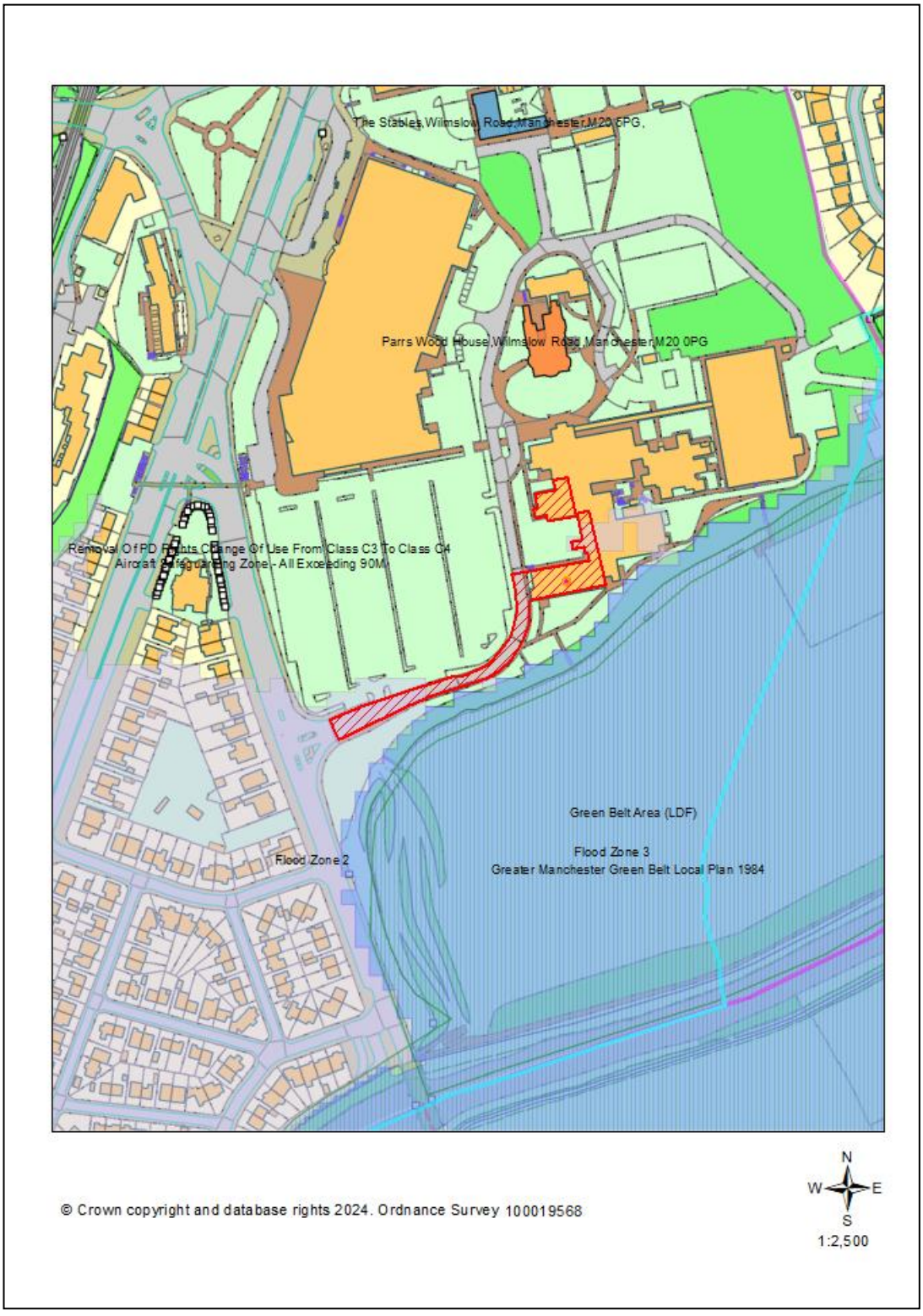
Listed building: Parrs Wood House – Grade II*

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

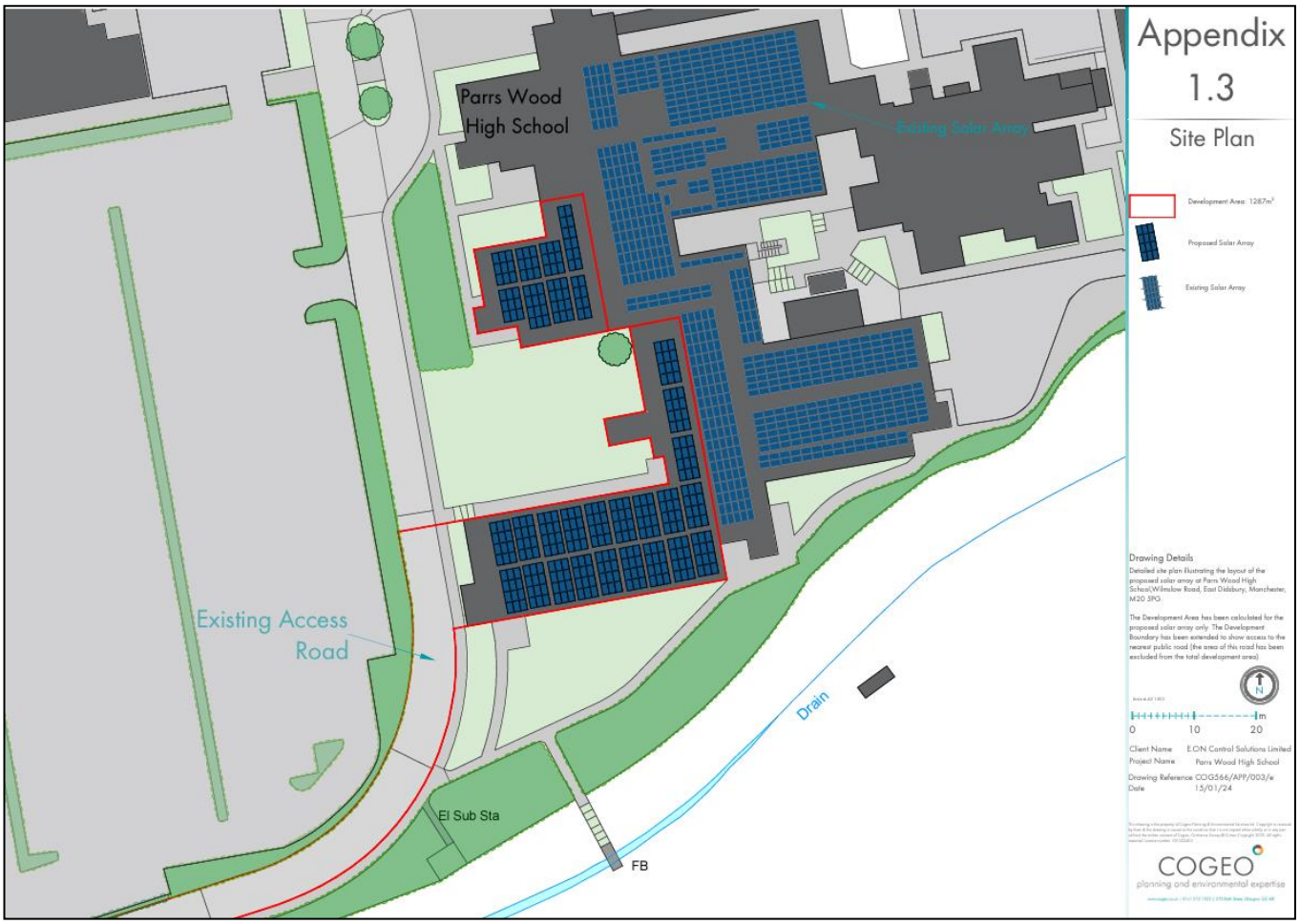
The site is located in the Didsbury East ward of Manchester. To the south is the Manchester Green Belt (Flood Zone 2 & 3). On the north of the site is the Grade II* listed Parrs Wood House



Description of development

The applicant is seeking prior approval for the installation of roof mounted solar array.

Specification	Detail
PV Generator Output	136 kW
No. of PV Modules	332
Design	Risen Energy RSM40-8-410M (v1) solar panels.
Protrusion from plane of roof	0.19m
Closest distance to the external roof edge	1.01m
No. of Inverters	1x SolarEdge SE100K-EU-APAC (v2) inverter connected to existing main control panel switchgear
Construction Timescale	Approximately 8 weeks
Duration of Operational Life	40 years



Planning History

139051/FO/2024

Description: Installation of Air Source Heat Pumps within enclosure

Decision: Pending consideration

136137/FO/2023

Description: Erection of 2.4 metres high weld mesh fencing, with associated pedestrian and vehicle gates, around the perimeter of the playing fields.

Decision: Pending consideration

133256/LO/2022

Description: LISTED BUILDING CONSENT for the re-building of the boundary wall adjacent the Synergy Building

Decision: Approved 03/10/2022

118957/FO/2018

Description: Erection of a single storey classroom building following demolition of existing HORSA hut

Decision: Approved 12/04/2018

118958/LO/2018

Description: Listed Building Consent for the demolition of the HORSA hut and erection of a replacement single storey classroom building

Decision: Approved 12/04/2018

117910/FO/2017

Description: Erection of a single storey classroom following demolition of existing building

Decision: Withdrawn 11/12/2017

109962/LP/2015/S2

Description: Lawful Development Certificate for proposed lawful development for the installation of solar photo-voltaic panels to the roof of the school buildings

Decision: Approved 05/10/2015

108702/VO/2015/S2

Description: City Council Development for installation of cycle stores and stands to provide 148no. cycle spaces

Decision: Approved 01/07/2015

104037/LO/2013/S2

Description: Listed Building Consent for internal alterations to allow new security system to front and rear

Decision: Withdrawn 28/03/2014

102044/FO/2013/S2

Description: Erection of single-storey infill extension to form new lobby including extension to dining hall and quiet room with new entrance to beauty therapy and new fire escape

Decision: Approved 31.05.2013

096627/LO/2011/S2

Description: LISTED BUILDING CONSENT for the installation of new flue

Decision: Approved 01.11.2011

096387/LO/2011/S2

Description: LISTED BUILDING CONSENT for internal remodelling involving the demolition of existing walls and construction of a slide fold partition to the ground floor and a plasterboard partition to the first floor to remodel the existing space.

Decision: Approved 25.08.2011

089166/VO/2009/S2

Description: CITY COUNCIL DEVELOPMENT Erection of new sliding entrance gate and 2.4m weld mesh fencing to entrance and installation of new entrance door to west elevation of the high school

Decision: Approved 15.07.2009

088616/FO/2008/S2

Description: Retrospective Application for the provision of two metal containers for storage of sports equipment for a temporary period of 2 years

Decision: Approved 29.01.2009

Consultations & Notification Responses

Consultations

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.

Notifications

Local Residents

As stated in Appendix 1, people who live near the area were told about the proposal.

No one commented, objected, or gave their opinion on this application.

Site notice

As required by the legislation, a site notice was posted.

No one commented, objected, or gave their opinion on this application.

Policies & Principle

Summary of relevant policy

Applications for planning permission must be assessed against the local development plan, unless there are important reasons not to, as stated in planning law.

The application's principle is determined in law. The local planning authority can check the proposal within the following law.

In considering this application, we consider the following policies relevant.

National

- The Town and Country Planning (General Permitted Development) (England) Order 2015 – This order is a statutory instrument, applying in England, that grants planning permission for certain types of development (such development is then referred to as permitted development)
    - Schedule 2, Part 14 Renewable Energy
        - Class J. 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.

- The National Planning Policy Framework (The NPPF) - The Government released the NPPF on March 27, 2012, and updated it on September 5, 2023. Here, you can find the government's planning policies for England. It also explains how to apply them. We consider the following sections relevant to this proposal.
    - 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
    - Section 16 - Conserving and enhancing the historic environment

Principle of the development

This proposal falls within Schedule 2, Part 14 Renewable Energy, of the Town and Country Planning (General Permitted Development) (England) Order 2015. In particular the rule pertaining to Class J development consisting of installation or alteration etc of solar equipment on non-domestic premises.

The principle of the proposal is accepted, and the local planning authority can assess the proposal as a prior approval, against conditions set out in the legislation in the following section.

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

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;*

The applicant has confirmed the proposal will protrude no more that 200mm beyond the plane of the roof when measured perpendicular with the external surface.

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 applicant has confirmed the proposal will protrude no more that 1000mm beyond the height of the roof when measured perpendicular with the external surface.

c. *the solar PV equipment or solar thermal equipment would be installed [F1on a roof and] within 1 metre of the external edge of that roof;*

The applicant has confirmed the proposal will be installed over 1 metre from the external edges of the roof.

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

The site is not 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 site is not a listed building. Parrs Wood House is adjacent to the site but not within the curtilage of the application.

J.2

Development is not permitted by 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;

Not applicable. The proposal is on a roof.

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; or

Not applicable. The proposal is on a 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.

Not applicable. The proposal is on a roof.

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*

The applicant has confirmed that the PV equipment will be sited so as to minimise as far as practicable its effect on the external appearance of the building and the amenity of the area.

b. the solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.

The applicant has not confirmed this in the covering letter, so a condition has been added to ensure this happens.

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.*
3. *The application must be accompanied by— a. written description of the proposed development; b. 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; together with any fee required to be paid.*

The applicant has provided the information as required and paid the necessary fee for the application to be assessed.

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 applicant has provided the required information to assess the proposal as complying with the particulars of the legislation.

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.*

Not applicable. The applicant has provided the information as required and paid the necessary fee for the application to be assessed.

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. *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*

A site notice was posted on 26/01/2024 and expired 16/02/2024

    b. *by serving a notice in that form on any adjoining owner or occupier.*

Notification letters were sent to adjoining owner or occupiers as per Appendix 1.

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 applicant has not been asked to provide any more documents or information in order to determine the application.

8. *The local planning authority must, when determining an application—*
    a. *a. take into account any representations made to them as a result of any notice given under sub-paragraph (6); and*

The Manchester Airport Safeguarding Officer was notified of the proposed development as the site is located in a Manchester Airport safeguarding zone. The Safeguarding Authority for Manchester Airport has assessed this proposal and its potential to conflict with aerodrome Safeguarding criteria. They have no objection subject to informatives added to the decision to ensure Aircraft safety.

b. *have regard to the National Planning Policy Framework issued by the Ministry of Housing, Communities and Local Government in so far as relevant to the subject matter of the prior approval, as if the application were a planning application.*

See following section.

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework explains the government's planning policies for England. It also explains how to use these policies.

At all stages of the application, we have adhered to and considered the NPPF.

Section 4 - Decision-making

Section 4 of the NPPF outlines how local planning authorities should approach decisions on proposed development in a positive and creative way.

Section 4 of the NPPF has been adhered to and considered at all stages of the proposal.

Section 6 - Building a strong, competitive economy

Section 6. of the NPPF outlines the development management principles to help create the conditions in which businesses can invest, expand, and adapt.

Section 12 - Achieving well-designed places

Section 12 of the NPPF outlines the need to achieve well-designed places.

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Section 12 outlines how the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change.

Section 16 - Conserving and enhancing the historic environment

Section 16 of the NPPF outlines the development management regarding heritage assets.

Considering potential impacts (Para. 199-208)

These paragraphs outline when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The site is located close to the Grade II* listed Parrs Wood House. The proposed PV would have less than substantial harm to the listed asset especially considering the existing PV at the site.

We consider this proposal to accord with the principles of the NPPF.

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 polices 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

Prior approval – Schedule 2, Part 14, Class J

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.

Recommendation: Approve

Approval is hereby granted in accordance with the following drawings and documents:

a.	Drawing - Location Plan	16 Jan 2024	COG566/APP/001/C	
b.	Drawing - Proposed	16 Jan 2024	COG566/APP/004/D	ELEVATION
c.	Drawing - Site Plan	16 Jan 2024	COG566/APP/002/E	
d.	Drawing - Site Plan	16 Jan 2024	COG566/APP/003/E	

e. Supporting Information 16 Jan 2024 REPORT

Condition(s) to be attached to decision for Approval

1. **Removal when no longer required.**

   The solar PV equipment or solar thermal equipment will be removed as soon as reasonably practicable when no longer required.

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

Informative(s) to be attached to decision for approval.

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/Eventand-obstacle-notification/Crane-notification/

Appendix 1 – List of consultees & neighbours notified

Manchester Airport Safeguarding Officer

Megabowl, Parrswood Entertainment Centre, Wilmslow Road, Manchester, M20 5PG
VIRGIN ACTIVE, Unit 8, Parrswood Entertainment Centre, Kingsway, Manchester, M20 5PG
Nandos, Parrswood Entertainment Centre, Kingsway, Manchester, M20 5PG
Sports Hall, Parrs Wood High School, Wilmslow Road, Manchester, M20 5PG
Managers Flat The Bell House, Parrswood Entertainment Centre, Kingsway, Manchester, M20 5PG
Deputies Flat The Bell House, Parrswood Entertainment Centre, Kingsway, Manchester, M20 5PG
The Bell House, Parrswood Entertainment Centre, Kingsway, Manchester, M20 5PG
Unit 6, The Stables, Wilmslow Road, Manchester, M20 5PG
JONES LOWNDES DWYER LLP, Unit 4, The Stables, Wilmslow Road, Manchester, M20 5PG

Unit 5, The Stables, Wilmslow Road, Manchester, M20 5PG
Parrswood Entertainment Centre, Wilmslow Road, Manchester, M20 5PG
Parrs Wood House, Parrs Wood High School, Wilmslow Road, Manchester, M20 5PG
Travelodge, Parrswood Entertainment Centre, Kingsway, Manchester, M20 5PG
WARRINGTON MARTIN LTD, Unit 1, The Stables, Wilmslow Road, Manchester, M20 5PG
Unit 3, The Stables, Wilmslow Road, Manchester, M20 5PG
Unit 2 Ground Floor, The Stables, Wilmslow Road, Manchester, M20 5PG
The Stables, Wilmslow Road, Manchester, M20 5PG
Cineworld Cinema, Parrswood Entertainment Centre, Kingsway, Manchester, M20 5PG
Grosvenor G Casino Didsbury, Parrswood Entertainment Centre, Wilmslow Road, Manchester, M20 5PG
Frankie And Bennys, Parrswood Entertainment Centre, Kingsway, Manchester, M20 5PG
HOWELL WILD LTD, First Floor Unit 2, The Stables, Wilmslow Road, Manchester, M20 5PG
Chiqiutos, Parrswood Entertainment Centre, Kingsway, Manchester, M20 5PG
Burger King, Parrswood Entertainment Centre, Kingsway, Manchester, M20 5PG
Pizza Hut, Parrswood Entertainment Centre, Kingsway, Manchester, M20 5PG

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA