

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139312/P14J/2024
Date registered valid: 20 February 2024
Proposal: Installation of 49kW rooftop Solar Photovoltaic (PV) panel system
Address: Manchester Communication Primary Academy, 49 Parkstead Drive,
Manchester, M9 5QN
Ward(s): Harpurhey Ward

Applicant: Mr Mal Gregan, Nero Energy (Part of Energy Intelligence Ltd)
Agent (if any): Mr Mal Gregan, Nero Energy
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 15 April 2024

Application details

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

Development type: Notifications

Date of site visit: 27 February 2024

Standard consultations:

Printed: 20 February 2024 Expired: 12 March 2024

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 27 February 2024 Expired: 19 March 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: No

Tree Preservation Order: No

Description of area

The application site relates to the roof of the most northern block connected to the Manchester Communication Academy sited within the north Manchester ward of Harpurhey. The building sits close to Rochdale Road and is two storey in height. The academy is an educational establishment providing secondary education.

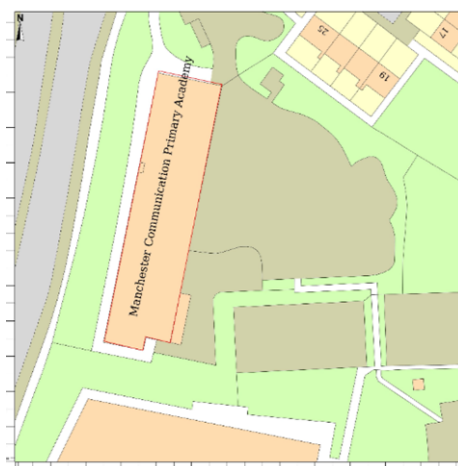


Figure 1, Northern block of the school (applicant site)

The host roof forms one of a series of rooftops from 1-3 storeys in height, associated with ancillary elements of the main school campus. The application site is situated adjacent to the main north/south arterial route of Rochdale Road and busy, east-west route of Queen's Road.

With the exception of the school subject to this application, the immediate context is largely residential in character, comprising a combination of 2 storey dwellinghouses and 3-4 apartment buildings.

Description of development

The application seeks prior approval for the installation of 49kW rooftop Solar Photovoltaic (PV) panel system.

A specification of the PV panel system has been provided for review and relates to JA solar JAM6 60/230-260(BK).

Planning History

138511/FO/2023- Erection of single storey extension to existing secondary school to provide a dance studio and changing facilities, together with alterations to the parking area.
Approved 7 December 2023.

136761/P14J/2023- Prior Approval for the installation of roof mounted photo voltaic panels.
Approved 25 September 2023.

137174/FO/2023- Installation of 5 x roof mounted air source heat pumps housed adjacent to the plant room.
Approved 10 August 2023.

CDN/17/0335- Discharge of condition 10 attached to previously approved planning application 106653/FO/2014/N1.
Approved 2 August 2017.

116660/FO/2017- Erection of bridge link to connect Manchester Communication Academy with Manchester Communication Primary Academy.
Approved 24 July 2017.

116369/JO/2017- Variation of conditions 2, 12 and 15 attached to previously approved planning permission 106653/FO/2014/N1 to allow for modifications to new car parking area to east of Lathbury Road (layout and capacity) and introduction of 6 no. cycle spaces within new car park.
Approved 13 July 2017.

CDN/17/0128- Discharge of condition 20 attached to planning approval 106653/FO/2014/N1.
Approved 3 May 2017.

110322/JO/2015/N1- Variation of conditions 1 (specified plans), 5 (landscaping scheme), and 25 (landscape management) of planning approval 107766/JO/2015/N1 to permit alterations to the approved elevations, boundary treatments, hard and soft landscaping, and levels for the Manchester Communications Primary Academy School (MCPA).
Approved 24 February 2016.

108898/FO/2015/N1- Installation of a Mountain Bike Trail, and separate scoot track upon existing MUGA adjacent to Lathbury Road playing fields, together with a cycle link path to the

rear of dwellings on Gissing Walk and Chevington Drive, and the siting of a storage container within the Manchester Communication Academy site.

Approved 20 July 2015.

106653/FO/2014/N1-Construction of new external 3G Artificial Turf Pitch (ATP) on part of existing school playing fields, together with new 4.5m high boundary fencing to pitch, 8 no. 15m high floodlighting columns, creation of new natural turf bund area to south-west of new pitch, and creation of new 55 space car park accessed off Lathbury Road and associated works.

Approved 6 May 2015.

107766/JO/2015/N1- Variation of condition application to vary condition 7 attached to previously approved application 106283/VO/2014/N1 to allow for change to certification of BREEAM sustainability rating.

Approved 13 April 2015.

106283/VO/2014/N1- Construction of a part-two, part-single storey building, with associated outside educational space, to form a Primary School for 420 children, with vehicular access off Parkstead Drive, parking and servicing, boundary treatments, hard and soft landscaping and associated works.

Approved 11 September 2014.

104342/FO/2013/N1-Proposed single storey double height extension within existing courtyard to provide an enlarged dining room and elevational alterations to the Queens Road elevation of the existing building to provide a new extraction louvre panel above an existing window on the second floor.

Approved 31 January 2014.

Further planning permission exists prior to the current planning period of 2012.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Manchester Airport Safeguarding Officer

The Manchester Airport Safeguarding Officer was consulted on the application and provided the following response:

The Safeguarding Authority for Manchester Airport has assessed this proposal and its potential to conflict with aerodrome Safeguarding criteria. We have no objections.

Informative: 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/>

Issues

The proposal has been assessed to determine accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 14 Renewable Energy, Class J.

It is considered that the proposed installation of solar PV equipment on the roof of a building would be permitted development subject to the submission of a prior approval application to the local planning authority and the following criteria being met:

J.1

(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;

This stipulation does not relate to the current application- the applicant site has a flat roof.

(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 agent confirmed the PV equipment would not be higher than 1 metre above the highest part of the roof via email on 5 March 2024. Further, the drawing provided on 5 March 2024 shows the equipment would not exceed 0.45 metres in height.

(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;

Via email on 5 March 2024 the agent confirmed the equipment would be sited a minimum of a 2 metre gap to the external edge of the roof. The drawing provided on 5 March 2024 confirms this would be the case.

(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;

The application site does not sit within 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

(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 application site is not designated as a scheduled monument nor is a listed building nor does the building sit within the curtilage of a listed building.

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;

(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

(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.

The proposal would not involve the insertion of PV equipment on a wall- this would just be on the roof of the building.

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;

As the PV equipment would be sited on the roof of the building, the proposal would not be easily visible from the streetscene. Although views of the equipment may be possible from further from the applicant site on the busy roads of Rochdale Road, Queens Road and A6010, the PV

equipment would only have a height of 0.45 metres and be sited minimum 2 metres from the external edge of the roof. Given the nature of the building, as a school and surrounding residential context where PV equipment is common, the proposal is not considered to create an adverse feature. The current application follows a previously approved application for solar panels on another of the school's buildings (see planning reference: 136761/P14J/2023) and therefore helps achieve the scheme of installing PV equipment to help the thermal efficiencies of the building and help Manchester become carbon neutral by 2038.

Conclusion

It is considered that the development would have a minimal impact on the related building area characterised by residential dwellings. The development would be permitted by the criteria set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 14 Renewable Energy, Class J. Given the comments of the Safeguarding Authority for Manchester Airport and height and location of the building, it is not considered that undue harm would be caused by glint and glare.

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:

- Application Form, stamped as received by the City Council as Local Planning Authority on 20 February 2024.
- Drawing- Proposed- Detail Drawing, stamped as received by the City Council as Local Planning Authority on 20 February 2024.
- Supporting Information- 49KW Solar System, stamped as received by the City Council as Local Planning Authority on 20 February 2024.
- Supporting Information- Certificate of Conformity, stamped as received by the City Council as Local Planning Authority on 20 February 2024.
- Supporting Information- Product Specification, stamped as received by the City Council as Local Planning Authority on 20 February 2024.
- Supporting Information- Solis Three Phase Grid-Tied Inverters, stamped as received by the City Council as Local Planning Authority on 20 February 2024.
- Supporting Information- Valkpvplanner Project Report, stamped as received by the City Council as Local Planning Authority on 20 February 2024.
- Drawing- Proposed- MCA Primary PV Layout Drawing 2D, numbered V1, stamped as received by the City Council as Local Planning Authority on 5 March 2024.
- Correspondence- Agent Confirming Compliance to GDPO, stamped as received by the City Council as Local Planning Authority on 5 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

Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected

Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface

Area Team Boundary - Name: NORTH AREA