MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138882/P14J/2023
Date registered valid:	20 December 2023
Proposal:	Prior approval for the installation of solar panels to roof
Address:	YMCA & Castlefield Hotel , Liverpool Road, Manchester, M3 4JR
Ward(s):	Deansgate Ward
Applicant:	Ms Sophie Stevens YMCA Manchester
Agent (if any):	Sophie Stevens Ineco Energy Ltd
Case officer:	Michael Pearson Tel: 0161 219 2735 Email: michael.pearson@manchester.gov.uk
Recommendation:	Approved

Date of recommendation: 05/02/2024

Application details

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

Development type: Notifications

Date of site visit:

Standard consultations:
Printed: 8 January 2024 Expired: 29 January 2024

Neighbour notifications
Printed: 8 January 2024 Expired: 29 January 2024

Site notice
Posted: 12 January 2024 Expired: 2 February 2024

Press advert
Published: 16 January 2024 Expired: 30 January 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Castlefield Conservation Area 1979

Tree Preservation Order: Not applicable

Description of area

Description of development

Consultations & Notification Responses

Highway Services -

Transport For Greater Manchester -

Manchester Airport Safeguarding Officer -

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 – All PV panels would not protrude more than 0.2m from the pitched roof they are mounted to.

(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 –

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

Complies - The submitted drawings show that the equipment would not be within 1 metre of the external edge of the roof.

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.

Recommendation:

Article 35 Declaration

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

Appendix 1 – List of consultees & neighbours notified

Highway Services
Transport For Greater Manchester
Helipad Manager
Manchester Airport Safeguarding Officer

121 - 123 Liverpool Road, Manchester, M3 4JN
Warehouse Rear Of 121 To 123, Liverpool Road, Manchester, M3 4JN
25 Woollam Place, Manchester, M3 4JJ
19 Woollam Place, Manchester, M3 4JJ
9 Woollam Place, Manchester, M3 4JJ
3 Woollam Place, Manchester, M3 4JJ
119E Liverpool Road, Manchester, M3 4JN
119B Liverpool Road, Manchester, M3 4JN
117E Liverpool Road, Manchester, M3 4JN
117B Liverpool Road, Manchester, M3 4JN
119F Liverpool Road, Manchester, M3 4JN
117 Liverpool Road, Manchester, M3 4JN
36 Potato Wharf, Manchester, M3 4NB
125 Liverpool Road, Manchester, M3 4JN
Castlefield Centre, 101 Liverpool Road, Manchester, M3 4JN
119D Liverpool Road, Manchester, M3 4JN
119C Liverpool Road, Manchester, M3 4JN
119A Liverpool Road, Manchester, M3 4JN
117F Liverpool Road, Manchester, M3 4JN
117D Liverpool Road, Manchester, M3 4JN
117C Liverpool Road, Manchester, M3 4JN
117A Liverpool Road, Manchester, M3 4JN
28 Potato Wharf, Manchester, M3 4NB
26 Potato Wharf, Manchester, M3 4NB
24 Potato Wharf, Manchester, M3 4NB
22 Potato Wharf, Manchester, M3 4NB
20 Potato Wharf, Manchester, M3 4NB
18 Potato Wharf, Manchester, M3 4NB
16 Potato Wharf, Manchester, M3 4NB
14 Potato Wharf, Manchester, M3 4NB
12 Potato Wharf, Manchester, M3 4NB
10 Potato Wharf, Manchester, M3 4NB
8 Potato Wharf, Manchester, M3 4NB
6 Potato Wharf, Manchester, M3 4NB
4 Potato Wharf, Manchester, M3 4NB
2 Potato Wharf, Manchester, M3 4NB
23 Woollam Place, Manchester, M3 4JJ
21 Woollam Place, Manchester, M3 4JJ
17 Woollam Place, Manchester, M3 4JJ
15 Woollam Place, Manchester, M3 4JJ
11 Woollam Place, Manchester, M3 4JJ
7 Woollam Place, Manchester, M3 4JJ
5 Woollam Place, Manchester, M3 4JJ
1 Woollam Place, Manchester, M3 4JJ
34 Potato Wharf, Manchester, M3 4NB
32 Potato Wharf, Manchester, M3 4NB
30 Potato Wharf, Manchester, M3 4NB

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
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Castlefield Conservation Area 1979
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: CENTRAL